

HOUSE JOURNAL  
OF THE  
FIFTY-SECOND LEGISLATURE  
OF THE  
STATE OF WASHINGTON  
AT  
OLYMPIA, THE STATE CAPITOL

VOLUME I

1991 Regular Session

Convened January 14, 1991  
Adjourned Sine Die April 28, 1991



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**Joseph E. King, Speaker**  
**John L. O'Brien, Speaker Pro Tempore**  
**Alan Thompson, Chief Clerk**  
**Dennis Karras, Deputy Chief Clerk**  
**Patsy Ellis, Minute/Journal Clerk**

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Compiled, Edited and Indexed by  
Alan Thompson, Chief Clerk  
Patsy Ellis, Minute/Journal Clerk



FIRST DAY  
-----NOON SESSION  
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House Chamber, Olympia, Monday, January 14, 1991

The House of Representatives of the 1991 Regular Session of the Fifty-Second Legislature was called to order at 12:00 Noon by the Chief Clerk of the Fifty-First Legislature, Alan Thompson.

The Chief Clerk requested the Sergeant at Arms to escort the Members-elect to seats on the floor of the House, as selections by the String Quartet of the Seattle Symphony were performed.

The flag was escorted to the rostrum by the I Corps Command Color Guard of Fort Lewis.

Prayer was offered by The Reverend Richard Hart of Olympia:

Heavenly Father, there is always an overwhelming sense of awe and wonder that surrounds me when I climb the steps of this renown building and stand among our representatives in this great Chamber, because I remember again that I am in the midst of democracy and freedom at its best. I lift up a prayer of thanksgiving for the joy of such a gift.

The truth is that this day of beginning for the Fifty-Second Legislature is full to overflowing with mixed feelings and emotions. It reminds me of the words of the novelist Charles Dickens: "It was the best of times; it was the worst of times."

It is the best of times because freedom is alive and we are a part of it. It is the best of times because friendships are being renewed and challenges have been accepted directing our best efforts toward solving the problems facing the people of our state. It is the best of times because those, who enter this Chamber for the first time as a chosen one from their district, are enjoying the thrill and privilege of victory all over again. It is the best of times because, while the problems are difficult and complex, their energy, enthusiasm and commitment are equal to the task. And we give thanks.

Even in the midst of our joy and excitement, we are so keenly and painfully aware of the dark, ominous cloud which hovers over most of our world in the threat of war. It is the worst of times because innocent people have been destroyed to satisfy the greed of others. It is the worst of times because many are going to die in the effort of a few to save face or demonstrate the absence of fear.

We pray for our President Bush and for President Hussein--that they will not permit the opportunity for peace to escape.

We pray that we will be spared the suffering of war.

Then, Lord, the truth is that we are part of a world which desperately needs to be touched, once more, by your divine healing. We offer up for these, our representatives and leaders, the prayer that we would pray for ourselves: Grant to each of us wisdom, grace and courage beyond our own for the living of these days.

In the name of Him Who is Peace. Amen.

#### CHIEF CLERK'S PRIVILEGE

The Chief Clerk introduced to the Members-elect the 1990 Olympia LakeFair Queen, Miss Audra Hausley, who extended a welcome to the Fifty-Second Washington State Legislature.

The Chief Clerk introduced The Honorable Kay Boyd, Mayor of the City of Lacey; The Honorable Peter Fluetsch, Mayor of the City of Tumwater; and The Honorable Rex Derr, Mayor of the City of Olympia, who welcomed the legislators to the Capital area community.

#### APPOINTMENT OF SPECIAL COMMITTEE

The Chief Clerk appointed Representatives Appelwick and Padden to escort The Honorable Richard Guy, Justice of the Supreme Court of the State of Washington from the State Reception Room to the Rostrum.

#### MESSAGES FROM THE SECRETARY OF STATE

November 29, 1990

The Honorable Speaker of the House of Representatives  
The Legislature of the State of Washington  
Olympia, Washington  
Mr. Speaker:

I, Ralph Munro, Secretary of State, do hereby certify that, according to the provisions of RCW 43.07.030, I have canvassed the returns of the votes cast at the state general election held on the sixth day of November, 1990, for the offices of State Representative, 7th Legislative District, Position Two (Short Term) and State Representative, 13th Legislative District, Position One (Short Term) and the votes cast for candidates to these offices are as follows:

#### 7TH LEGISLATIVE DISTRICT, POSITION TWO

	John McLaughlin (D)	Bob Morton (R)
Ferry	716	1,004
Lincoln	1,269	2,564
Pend Oreille	1,761	1,462
Stevens	3,483	5,967
Okanogan, part	3,101	4,246
Spokane, part	829	867
TOTAL	11,159	16,110

## 13TH LEGISLATIVE DISTRICT, POSITION ONE

	David (Kent) Jones (D)	Gary D. Chandler (R)
Adams, part	430	763
Grant, part	5,051	7,568
Kittitas, part	2,320	3,339
Yakima, part	1,641	2,636
TOTAL	9,442	14,306

IN WITNESS THEREOF, I have hereunto set my hand, and affixed the Seal of the State of Washington, this twenty-ninth day of November, 1990.

(Seal)

Ralph Munro, Secretary of State.

The Honorable Speaker of the House of Representatives  
The Legislature of the State of Washington  
Olympia, Washington  
Mr. Speaker:

I, Ralph Munro, Secretary of State of the State of Washington, do hereby certify that the following is a full, true, and correct list of the persons elected to the office of State Representative at the State General Election held in the state of Washington on the sixth day of November, 1990, as shown by the official returns of said election now on file in the office of the Secretary of State:

<u>DISTRICT</u>	<u>NAME</u>	<u>COUNTIES REPRESENTED</u>
No. 1	Nancy S. Rust (D)	
No. 1	Grace Cole (D)	King, part, and Snohomish, part
No. 2	Marilyn Rasmussen (D)	
No. 2	Randy Dorn (D)	Pierce, part, and Thurston, part
No. 3	Bill Day (D)	
No. 3	Dennis A. Dellwo (D)	Spokane, part
No. 4	George Orr (D)	
No. 4	Mike Padden (R)	Spokane, part
No. 5	Jean Silver (R)	
No. 5	Todd Mielke (R)	Spokane, part
No. 6	Duane C. Sommers (R)	
No. 6	John A. Moyer (R)	Spokane, part
No. 7	Stephen R. Fuhrman (R)	
No. 7	Harry B. Morton (R)	Ferry, Lincoln, Okanogan, part, Pend Oreille, Spokane, part, and Stevens
No. 8	Lane Bray (D)	
No. 8	Curt Ludwig (D)	Benton, part
No. 9	Darwin R. Nealey (R)	
No. 9	Eugene A. Prince (R)	Adams, part, Asotin, Columbia, Franklin, part, Garfield, and Whitman
No. 10	Simeon R. "Sim" Wilson (R)	

No. 10	Mary Margaret Haugen (D)	Island, Skagit, part, and Snohomish, part
No. 11	June Leonard (D)	
No. 11	Margarita Prentice (D)	King, part
No. 12	Clyde Ballard (R)	
No. 12	Alex McLean (R)	Chelan, Douglas, Grant, part, Kittitas, part, and Okanogan, part
No. 13	Gary D. Chandler (R)	
No. 13	Harold Hochstatter (R)	Adams, part, Grant, part, Kittitas, part, and Yakima, part
No. 14	Betty Edmondson (R)	
No. 14	Jay Inslee (D)	Yakima, part
No. 15	Margaret S. Rayburn (D)	
No. 15	Barbara Lisk (R)	Benton, part, and Yakima, part
No. 16	Richard Neher (R)	
No. 16	William A. Grant (D)	Benton, part, Franklin, part, and Walla Walla
No. 17	W. Kim Peery (D)	
No. 17	Holly Myers (D)	Clark, part, Klickitat, and Skamania
No. 18	Betty Sue Morris (D)	
No. 18	David Cooper (D)	Clark, part, and Cowlitz, part
No. 19A	Mike Riley (D)	Cowlitz, part, and Wahkiakum, part
No. 19B	Robert A. Basich (D)	Grays Harbor, part, Pacific, and Wahkiakum, part
No. 20	Rose A. Bowman (R)	
No. 20	Bill Brumsickle (R)	Lewis, and Thurston, part
No. 21	Jeanette Wood (R)	
No. 21	John Byron Beck (R)	Snohomish, part
No. 22	Karen Fraser (D)	
No. 22	Jennifer Belcher (D)	Thurston, part
No. 23	Paul Zellinsky (D)	
No. 23	Karen Schmidt (R)	Kitsap, part
No. 24	Evan Jones (D)	
No. 24	James E. Hargrove (D)	Clallam, Grays Harbor, part, and Jefferson
No. 25	Sarah M. Casada (R)	
No. 25	Randy Tate (R)	Pierce, part
No. 26	Ron Meyers (D)	
No. 26	Wesley R. Pruitt (D)	Kitsap, part, and Pierce, part
No. 27	Ruth Fisher (D)	
No. 27	Art Wang (D)	Pierce, part
No. 28	Shirley J. Winsley (R)	
No. 28	Art Broback (R)	Pierce, part
No. 29	Rosa Franklin (D)	
No. 29	Brian Ebersole (D)	Pierce, part
No. 30	Maryann Mitchell (R)	

No. 30	Jean Marie Brough (R)	King, part, and Pierce, part
No. 31	Judi Roland (D)	
No. 31	Christopher Vance (R)	King, part, and Pierce, part
No. 32	Joanne Brekke (D)	
No. 32	Dick Nelson (D)	King, part
No. 33	Lorraine A. Hine (D)	
No. 33	Greg Fisher (D)	King, part
No. 34	Michael Heavey (D)	
No. 34	Georgette Valle (D)	King, part
No. 35	Margaret Johnson (R)	
No. 35	Timothy Sheldon (D)	Grays Harbor, part, Kitsap, part, Mason, and Thurston, part
No. 36	Helen Sommers (D)	
No. 36	Lawrence Phillips (D)	King, part
No. 37	John L. O'Brien (D)	
No. 37	Gary F. Locke (D)	King, part
No. 38	Richard A. King (D)	
No. 38	Pat Scott (D)	Snohomish, part
No. 39A	John Wynne (R)	Snohomish, part
No. 39B	Art Sprenkle (D)	Snohomish, part
No. 40	Harriet Spanel (D)	
No. 40	Rob Johnson (D)	San Juan, Skagit, part, and Whatcom, part
No. 41	Fred O. May (R)	
No. 41	Jim Horn (R)	King, part
No. 42	Dennis Braddock (D)	
No. 42	Pete Kremen (D)	Whatcom, part
No. 43	Cal Anderson (D)	
No. 43	Jesse Wineberry (D)	King, part
No. 44	Maria Cantwell (D)	
No. 44	George Marshall Paris (R)	King, part, and Snohomish, part
No. 45	John W. Betrozoff (R)	
No. 45	Louise Miller (R)	King, part
No. 46	Marlin Appelwick (D)	
No. 46	Ken Jacobsen (D)	King, part
No. 47	J. Bruce Holland (R)	
No. 47	Elmira Forner (R)	King, part
No. 48	Roy Ferguson (R)	
No. 48	Steve Van Luven (R)	King, part
No. 49	Joseph E. King (D)	
No. 49	Val Ogden (D)	Clark, part

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Seal of the State of Washington at Olympia, this fourteenth day of January, 1991.

(Seal)

Ralph Munro, Secretary of State.

## ROLL CALL

The Clerk called the roll and all Members-elect were present.

## OATH OF OFFICE

Justice Richard Guy administered the oath of office to the Members-elect of the House of Representatives.

## POINTS OF PERSONAL PRIVILEGE

Ms. Miller: Thank you, Mr. Chief Clerk. Honorable guests and fellow members of the House: Today we are going to start the process of putting the election of 1990 behind us and meeting the challenges of 1991 and beyond.

In a spirit of cooperation the House Republican Caucus has decided against raising a challenge to the seating of a member of this body. It would add only more confusion, more pain and more public contempt to an election which has already caused so much pain. I know that the candidates and voters of the 24th District have suffered enough at this point. It's hard to believe how many times we have had to witness the counting of votes there. It is really inexcusable, and we pledge to the voters of this state and particularly to the voters and candidates for State Representative in the 24th Legislative District, that we will work to reform this process, so that this will never happen again.

With the permission of the House and in the interest of accuracy, I would like to read the rest of my remarks.

Let the record show that on the first official canvass report of the 1990 General Election, Representative Evan Jones was shown to have received 16,174 votes to 16,169 votes for Ann Goos--an apparent five-vote win for Mr. Jones.

A mandatory recount of the ballots showed that Representative Jones had only 16,166 votes--eight votes apparently had vanished into thin air--and Ann Goos had 16,167--two of her votes disappeared--with a result that Ann Goos had apparently won by a single vote.

A hand recount of the ballots was held on December 15 and 16 at the request of Representative Evan Jones. In this count not only did Representative Jones recover the eight votes that he lost between the first count and the second count, but also he gained an additional thirty-nine votes that had never been counted. The Jones count moved to 16,213.

The count for Ann Goos not only recovered the two votes she lost between the first and second count, but also gained her an additional forty-one votes never counted before. The Ann Goos count moved to 16,210 with the result being an apparent three-vote win for Representative Jones.

Today the State Republican Party is bringing before the Supreme Court of the State of Washington the issue of the five new ballots which were discovered just last week. On Tuesday, January 8, 1991, nine weeks after the November 6, 1990 election, an uncounted ballot was discovered in Clallam County. On Wednesday, January 9, two additional uncounted ballots were discovered in Clallam County. And, on Thursday, January 10, two uncounted ballots were discovered in Jefferson County. The five new ballots were counted on Friday,

January 11, resulting in three additional votes for Ann Goos and two additional votes for Evan Jones. To anyone who has any confidence in the numbers generated in this election, it appears that Evan Jones won this election by a vote of 16,215 to 16,213.

The Secretary of State has ruled that the five newest votes cannot be added to the official canvass report. We are asking the Court to order a new count certification. At least five voters cast ballots which, through no fault of their own, will not be counted. Nearly one hundred other voters cast ballots which were not counted the same way each time a count was done. The voters of the 24th Legislative District and the candidates for the House of Representatives have a right to be angry. No one will ever truly know the actual vote count in the 24th District.

We have a duty--all of us--to reform the election system that has brought such confusion, agony and embarrassment to our state. We look forward to working with you to solve this problem and restore the confidence of voters in the State of Washington in our election process.

Thank you.

Mr. Ebersole: We certainly appreciate the judicious and courtly way in which the member from the 45th District raised her Point of Personal Privilege. I think we all would like to see elections conducted in a way that would allow for a timely and accurate outcome. We will be joining with the minority party and with the Secretary of State in calling for the training of auditors and other measures to prevent the kind of irregularities and delays we saw in this election cycle.

Let me point out that the problems were not limited to Clallam and Jefferson Counties. Jefferson came up with an additional two ballots and Clallam County came up with an additional three ballots that had somehow disappeared. In King County fourteen thousand ballots disappeared--fourteen thousand ballots--causing a great deal of concern and anguish on the parts of both the eventual winners and losers. This is not something we would wish on anyone. It is very difficult to go through an election and have it be over on election night. It is another thing to have it drag on for another two and a half months. I know it has been very difficult and painful process for all concerned.

We do have ninety-eight duly elected members of the House of Representatives. We have a communication sent to us as a body from the Secretary of State duly certifying the members who were seated here today.

We join with you in looking at training auditors and getting a better accounting next time around.

On motion of Mr. Ebersole, the House advanced to the eighth order of business.

## RESOLUTION

HOUSE RESOLUTION NO. 91-4600, by Representatives Ebersole and Ballard.

BE IT RESOLVED, That the House Rules Committee shall meet no later than Friday, January 18, 1991, the fifth legislative day, to consider and make a recommendation on permanent rules for the House of Representatives; and

BE IT FURTHER RESOLVED, That no later than Wednesday, January 23, 1991, the tenth legislative day, the House of Representatives shall meet to consider adoption of permanent rules for the Fifty-second legislature; and

BE IT FURTHER RESOLVED, That temporary House Rules for the Fifty-second Legislature be adopted as follows:

TEMPORARY RULES OF THE HOUSE OF REPRESENTATIVES  
FIFTY-SECOND LEGISLATURE  
1991-1992

## HOUSE RULE NO.

- |         |  |
|---------|--|
| Rule 1  | Definitions                                      |
| Rule 2  | Chief Clerk to Call to Order                     |
| Rule 3  | Election of Officers                             |
| Rule 4  | Powers and Duties of the Speaker                 |
| Rule 5  | Chief Clerk                                      |
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| Rule 15 | Daily Calendar and Order of Business             |
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| Rule 18 | Rules of Debate                                  |
| Rule 19 | Ending of Debate - Previous Question             |
| Rule 20 | Voting   |
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| Rule 22 | Call of the House                                |
| Rule 23 | Appeal from Decision of Chair                    |
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| Rule 25 | Duties of Committees                             |
| Rule 26 | Free Conference Committee Report                 |
| Rule 27 | Vetoed Bills                                     |
| Rule 28 | Suspension of Compensation                       |
| Rule 29 | Standing Rules Amendment                         |
| Rule 30 | Smoking  |

- Rule 31 Parliamentary Rules  
 Rule 32 Rules to Apply for Assembly

#### DEFINITIONS

- Rule 1. "Absent" means an unexcused failure to attend.  
 "Assembly" means the two-year term during which the members as a body may act.  
 "Session" means a constitutional gathering of the assembly in accordance with Article 2 § 12 of the state Constitution.  
 "Committee" means any standing or select committee of the house as so designated by rule or resolution.  
 "Bill" means bill, joint memorial, joint resolution, or concurrent resolution unless the context indicates otherwise.

#### CHIEF CLERK TO CALL TO ORDER

- Rule 2. It shall be the duty of the chief clerk of the previous assembly to call the assembly to order and to conduct the proceedings until a speaker is chosen.

#### ELECTION OF OFFICERS

- Rule 3. The house shall elect the following officers at the commencement of each assembly: Its presiding officer, who shall be styled speaker of the house; a speaker pro tempore, who shall serve in absence or in case of the inability of the speaker; and a chief clerk of the house. Such officers shall hold office during all sessions until the convening of the succeeding assembly: PROVIDED, HOWEVER, That any of these offices may be declared vacant by the vote of a constitutional majority of the house, the members voting viva voce and their votes shall be entered on the journal. If any office is declared vacant, the house shall fill such vacant office as hereinafter provided. In all elections by the house a constitutional majority shall be required, the members shall vote viva voce and their votes shall be entered on the journal. (Art. II § 27)

#### POWERS AND DUTIES OF THE SPEAKER

- Rule 4. The speaker shall have the following powers and duties:  
 (A) The speaker shall take the chair and call the house to order precisely at the hour appointed for meeting and if a quorum be present, shall cause the journal of the preceding day to be read and shall proceed with the order of business.  
 (B) The speaker shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the chamber or legislative area, shall order the sergeant at arms to suppress the same and may order the sergeant at arms to remove any person creating any disturbance within the house chamber or legislative area.  
 (C) The speaker may speak to points of order in preference to other members, arising from the seat for that purpose, and shall decide all questions of order subject to an appeal to the house by any member, on which appeal no member shall speak more than once without leave of the house.  
 (D) The speaker shall sign all bills in open session. (Art. II § 32)  
 (E) The speaker shall sign all writs, warrants and subpoenas issued by order of the house, all of which shall be attested to by the chief clerk.

(F) The speaker shall have the right to name any member to perform the duties of the chair, but such substitution shall neither extend beyond adjournment nor authorize the representative so substituted to sign any documents requiring the signature of the speaker.

(G) In appointing the committee members to standing committees, the speaker shall name members in the same ratio as the membership of the respective parties in the house. Committee members shall be selected by each party's caucus. The majority party caucus shall select all committee chairs. Members of the rules committee will be selected in the same manner and same ratio as provided above, and the speaker shall serve as the chair of the rules committee. Other committee memberships shall be selected by the respective caucuses, unless otherwise provided by law, on a basis of statutory and geographical representation; otherwise, the same ratio between the parties will prevail in the selection of other committee members. Patronage will be divided proportionately by the party caucuses, following as closely as possible the ratio between the parties.

(H) The speaker shall have charge of and see that all officers, attaches and clerks perform their respective duties.

(I) The speaker pro tempore shall exercise the duties, powers and prerogatives of the speaker in the event of the speaker's death, illness, removal or inability to act until the speaker's successor shall be elected.

#### CHIEF CLERK

Rule 5. The chief clerk shall perform the usual duties pertaining to the office, and shall hold office until a successor has been elected.

The chief clerk shall employ, upon the recommendation of the employment committee and subject to the approval of the speaker, all other house employees; the hours of duty and assignments of all house employees shall be under the chief clerk's directions and instructions, and they may be dismissed by the chief clerk with the approval of the speaker. The speaker shall sign and the chief clerk shall countersign all payrolls and vouchers for all expenses of the house and appropriately transmit the same. In the event of the chief clerk's death, illness, removal or inability to act, the speaker may appoint an acting chief clerk who shall exercise the duties and powers of the chief clerk until the chief clerk's successor shall be elected.

#### DUTIES OF EMPLOYEES

Rule 6. Employees of the house shall perform such duties as are assigned to them by the chief clerk. Under no circumstances shall the compensation of any employee be increased for past services. No house employee shall seek to influence the passage or rejection of proposed legislation.

#### ADMITTANCE TO THE FLOOR

Rule 7. It shall be the general policy of the house to keep the chamber clear as follows:

(A) Except as provided otherwise in subsection (B) of this rule, the following persons shall be entitled to admittance to the third and fourth floor of the house chamber (excluding the galleries):

1. Senate officers and members of the senate.
2. Persons in the exercise of official duty directly connected with the business of the house.

3. Reporters who have been designated by the speaker and who have received press cards of admittance, subject to revocation.

4. Former members of the legislature not advocating any pending or proposed legislation, upon presentation of cards of admittance issued by the speaker and subject to revocation.

5. The immediate family of members, upon presentation of cards of admittance issued by the speaker or speaker pro tempore and subject to revocation, may be admitted when the house is not in session.

6. Other persons, upon presentation of cards of admittance issued by the speaker and subject to revocation, may be admitted except for one-half hour prior to the convening of each day's session and for one-half hour immediately following adjournment each day the house is in session.

(B) No lobbyist, Washington state employee or public official shall be admitted to the house chamber either when the house is in session or one-half hour immediately prior to convening and one-half hour following the adjournment of its daily session, except with the consent of the speaker.

(C) Lobbying in the house chamber or in any committee room or lounge room is prohibited when the house or committee is in session unless expressly permitted by the house or committee. Anyone violating this rule will forfeit his or her right to be admitted to the house chamber or any of its committee rooms.

#### ABSENTEES AND COURTESY

Rule 8. No member shall be absent from the service of the house without leave from the speaker. When the house is in session, only the speaker shall recognize visitors and former members.

#### BILLS, MEMORIALS AND RESOLUTIONS - INTRODUCTIONS

Rule 9. Any member desiring to introduce a bill shall file the same with the chief clerk. Bills filed by 10:00 a.m. shall be introduced on the next working day, in the order filed: PROVIDED, That if such introduction is within the last ten days of a regular session, it cannot be considered without a direct vote of two-thirds (2/3) of all the members elected to each house with such vote recorded and entered upon the journal. (Art. II § 36)

Any member or member-elect may prefile a bill with the chief clerk commencing thirty (30) days before any session. Prefiled bills shall be introduced on the first legislative day.

All bills shall be endorsed with a statement of the title and the name of the member or members introducing the same. The chief clerk shall attach to all bills a substantial cover bearing the title and sponsors and shall number each bill in the order filed. All bills shall be printed unless otherwise ordered by the house.

Any bill introduced at any session during the assembly shall be eligible for action at all subsequent sessions during the assembly.

#### AMENDATORY BILLS - FORM

Rule 10. Bills intended to amend existing statutes shall have the words underlined which are amendatory to such existing statutes. Any matter to be deleted from the existing statutes shall be indicated by lining out such matter with a broken line and enclosing the lined out material within double parentheses. No bill shall be printed or acted upon until the provisions of this rule have been complied with.

New sections need not be underlined but shall be designated "NEW SECTION.".

### READING OF BILLS

Rule 11. Every bill shall be read on three separate days: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution, or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution this rule may be suspended by a majority vote.

(A) FIRST READING. The first reading of a bill shall be by title only, unless a majority of the members present demand a reading in full.

After the first reading the bill shall be referred to an appropriate committee or committees. Bills referred to more than one committee shall be considered consecutively by the committees in the order set forth in the referral motion.

Upon being reported out of committee, all bills shall be referred to the rules committee. However, bills referred to more than one committee, upon being reported out of committee, shall be transmitted to the next committee as set forth in the referral motion.

The rule's committee may, by majority vote, refer any bill in its possession to a committee for further consideration. Such referral shall be reported to the house and entered in the journal under the fifth order of business.

(B) SECOND READING. Upon second reading, the bill number and short title and the last line of the bill shall be read unless a majority of the members present shall demand its reading in full. The bill shall be subject to amendment section by section. No bill shall be considered for second reading unless a calendar of bills for second reading and copies of any amendment made by a committee have been distributed to each member no later than 8:00 p.m. on the second day preceding such consideration unless otherwise directed by the rules committee. No amendment shall be considered by the house until it has been sent to the chief clerk's desk in writing, distributed to the desk of each member and read by the clerk. All amendments adopted during second reading shall be securely fastened to the original bill. All amendments rejected by the house shall be passed to the minute clerk; and the journal shall show the disposition of such amendments.

When no further amendments shall be offered, the speaker shall declare the bill has passed its second reading.

(C) SUBSTITUTE BILLS. When a committee reports a substitute for an original bill with the recommendation that the substitute bill do pass, it shall be in order to read the substitute the first time and have the same printed.

A motion for the substitution shall not be in order until the second reading of the original bill.

(D) THIRD READING. Only the last line of bills shall be read on third reading unless a majority of the members present demand a reading in full. No amendments to a bill shall be received on third reading but it may be referred or recommitted for the purpose of amendment.

(E) SUSPENSION CALENDAR. Bills may be placed on the second reading suspension calendar by the rules committee if at least two minority party members of the rules committee join in such motion. Bills on the second reading

suspension calendar shall not be subject to amendment or substitution except as recommended in the committee report. When a bill is before the house on the suspension calendar, the question shall be to adopt the committee recommendations and advance the bill to third reading. If the question fails to receive a two-thirds vote of the members present, the bill shall be referred to the rules committee for second reading. If a bill on the suspension calendar has been reported by more than one committee, the question for consideration by the house shall be as directed by the rules committee.

(F) FLOOR RESOLUTIONS. Floor resolutions shall be filed with the chief clerk who shall transmit them to the rules committee. The rules committee may adopt floor resolutions by a sixty percent majority vote of its entire membership or may, by a majority vote of its members, place them on the motions calendar for consideration by the house.

(G) CONCURRENT RESOLUTIONS. Reading of concurrent resolutions may be advanced by majority vote.

#### AMENDMENTS

Rule 12. The right of any member to offer amendments to proposed legislation shall not be limited except as provided in Rule 11(E) and as follows:

(A) AMENDMENTS TO BE OFFERED IN PROPER FORM. The chief clerk shall establish the proper form for amendments and all amendments offered shall bear the name of the member who offers the same, as well as the number and section of the bill to be amended.

(B) COMMITTEE AMENDMENTS. When a bill is before the house on second reading, amendments adopted by committees and recommended to the house shall be acted upon by the house before any amendments that may be offered from the floor.

(C) SENATE AMENDMENTS TO HOUSE BILLS. A house bill, passed by the senate with amendment or amendments which shall change the scope and object of the bill, upon being received in the house, shall be referred to appropriate committee and shall take the same course as for original bills unless a motion to non-concur is adopted prior to the bill being referred to committee.

(D) AMENDMENTS TO BE GERMANE. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; and no bill or resolution shall at any time be amended by annexing thereto or incorporating therein any other bill or resolution pending before the house.

(E) SCOPE AND OBJECT NOT TO BE CHANGED. No amendment to any bill shall be allowed which shall change the scope and object of the bill. (Art. II § 38)

(F) NO AMENDMENT BY REFERENCE. No act shall ever be revised or amended without being set forth at full length. (Art. II § 37)

(G) TITLE AMENDMENTS. All amendments to the title of a bill, which do not amend the subject matter statement may be adopted by a single motion.

#### FINAL PASSAGE

Rule 13. Rules relating to bills on final passage are as follows:

(A) RECOMMITMENT BEFORE FINAL PASSAGE. A bill may be recommitted at any time before its final passage.

(B) FINAL PASSAGE. No bill shall become a law unless on its final passage the vote be taken by yeas and nays, the names of the members voting for and against the same be entered on the journal of each house, and a majority of the members elected to each house be recorded thereon as voting in its favor. (Art. II § 22)

(C) BILLS PASSED - CERTIFICATION. When a bill passes, it shall be certified to by the chief clerk, said certification to show the date of its passage together with the vote thereon.

#### HOUR OF MEETING, ROLL CALL AND QUORUM

Rule 14. (A) HOUR OF MEETING. The speaker shall call the house to order each day of sitting at 11:00 A.M., unless the house shall have adjourned to some other hour.

(B) ROLL CALL AND QUORUM. Before proceeding with business, the roll of the members shall be called and the names of those absent or excused shall be entered on the journal. A majority of all the members elected must be present to constitute a quorum for the transaction of business. In the absence of a quorum, seven members with the speaker, or eight members in the speaker's absence, having chosen a speaker pro tempore, shall be authorized to demand a call of the house and may compel the attendance of absent members in the manner provided in Rule 22(B). For the purpose of determining if a quorum be present, the speaker shall count all members present, whether voting or not. (Art. II § 8)

(C) The house shall adjourn not later than 10:00 P.M. of each working day. This rule may be suspended by a majority vote.

#### DAILY CALENDAR AND ORDER OF BUSINESS

Rule 15. The rules relating to the daily calendar and order of business are as follows:

(A) DAILY CALENDAR. The rules committee shall have charge of the daily calendar of the house and shall direct the chief clerk of the order in which the business of the house shall be: PROVIDED, That:

(1) By motion under the eighth order of business, a bill in the rules committee may be placed on the calendar by the affirmative vote of a majority of all members of the house.

(2) Messages from the senate, governor or other state officials may be read at any time.

(B) ORDER OF BUSINESS. Business shall be disposed of in the following order:

First: Roll call, presentation of colors, prayer and approval of the journal of the preceding day.

Second: Introduction of visiting dignitaries.

Third: Messages from the senate, governor and other state officials.

Fourth: Introduction and first reading of bills, memorials, joint resolutions and concurrent resolutions.

Fifth: Committee reports.

Sixth: Second reading of bills.

Seventh: Third reading of bills.

Eighth: Floor resolutions and motions.

Ninth: Presentation of petitions, memorials and remonstrances addressed to the Legislature.

Tenth: Introduction of visitors and other business to be considered.

Eleventh: Announcements.

The order of business may be changed by a majority vote of those present.

(C) UNFINISHED BUSINESS. The unfinished business at which the house was engaged preceding adjournment shall not be taken up until reached in regular order, unless the previous question on such unfinished business has been ordered prior to said adjournment.

### MOTIONS

Rule 16. Rules relating to motions are as follows:

(A) MOTIONS TO BE ENTERTAINED OR DEBATED. No motion shall be entertained or debated until announced by the speaker and every motion shall be deemed to have been seconded. A motion shall be reduced to writing and read by the clerk, if desired by the speaker or any member, before it shall be debated and by the consent of the house may be withdrawn before amendment or action.

(B) MOTIONS IN ORDER DURING DEBATE. When a motion has been made and seconded and stated by the chair, the following motions are in order, in the rank named:

(1) Privileged motions:

Adjourn  
 Adjourn to a time certain  
 Recess to a time certain  
 Reconsider  
 Demand for division  
 Question of privilege  
 Orders of the day

(2) Subsidiary motions:

First rank: Question of consideration  
 Second rank: To lay on the table  
 Third rank: For the previous question  
 Fourth rank: To postpone to a day certain  
                   To commit or recommit  
                   To postpone indefinitely  
 Fifth rank: To amend

(3) Incidental motions:

Points of order and appeal  
 Method of consideration  
 Suspension of the rules  
 Reading papers  
 Withdraw a motion  
 Division of a question

(C) THE EFFECT OF POSTPONEMENT - MOTIONS TO POSTPONE OR COMMIT. No motion to postpone to a day certain, to commit, to postpone indefinitely being decided shall again be allowed on the same day and at the same stage of the proceedings. When a question has been postponed indefinitely,

it shall not again be introduced during the session. The motion to postpone indefinitely may be made at any stage of the bill except when on first reading.

(D) **MOTIONS DECIDED WITHOUT DEBATE.** A motion to adjourn, to recess, to lay on the table and to call for the previous question shall be decided without debate.

All incidental motions shall be decided without debate, except that members may speak to points of order and appeal as provided in Rule 23.

A motion for suspension of the rules shall not be debatable except that the mover of the motion may briefly explain the purpose of the motion and one member may briefly state the opposition to the motion.

(E) **MOTION TO ADJOURN.** A motion to adjourn shall always be in order, except when the house is voting or is working under the call of the house; but this rule shall not authorize any member to move for adjournment when another member has the floor.

#### MEMBERS RIGHT TO DEBATE

Rule 17. The methods by which a member may exercise his or her right to debate are as follows:

(A) **RECOGNITION OF MEMBER.** When any member desires to speak in debate or deliver any matter to the house, the member shall rise and respectfully address the speaker and pause until recognized.

(B) **ORDER OF SPEAKING.** When two or more members arise at once, the speaker shall name the one who is to speak.

(C) **LIMITATION OF DEBATE.** No member shall speak longer than ten (10) minutes without consent of the house: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution, or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, no member shall speak more than three (3) minutes without the consent of the house. No member shall speak more than twice on the same question without leave of the house: PROVIDED, That the chair of the committee or the mover of the question may close debate if it is consistent with rule 19 (Previous Question).

#### RULES OF DEBATE

Rule 18. The rules for debate in the house are as follows:

(A) **QUESTION OF PRIVILEGE.** Any member may rise to a question of privilege and explain a personal matter, by leave of the speaker, but the member shall not discuss any pending question in such explanations.

(B) **WITHDRAWAL OF MOTION, BILL, ETC.** After a motion is stated by the speaker or a bill, memorial, resolution, petition or remonstrance is read by the clerk, it shall be deemed to be in possession of the house, but may be withdrawn by consent of the house at any time before decision or amendment.

(C) **READING OF A PAPER.** When the reading of any paper is called for and is objected to by any member, it shall be determined by a vote of the house.

(D) **DISTRIBUTION OF MATERIALS.** Any materials of any nature distributed to the members' desks on the floor shall be subject to approval by the speaker and shall bear the name of at least one member granting permission for the distribution. This shall not apply to materials normally distributed by the chief clerk.

(E) ORDER OF QUESTIONS. All questions, whether in committee or in the house, shall be propounded in the order in which they are named except that in filling blanks, the largest sum and the longest time shall be put first.

(F) DIVISION OF POINTS OF DEBATE. Any member may call for a division of a question which shall be divided if it embraces subjects so distinct that one being taken away a substantive proposition shall remain for the decision of the house; but a motion to strike out and to insert shall not be divided. The rejection of a motion to strike out and to insert one proposition shall not prevent a motion to strike out and to insert a different proposition.

(G) DECORUM OF MEMBERS. While the speaker is putting the question, no member shall walk across or out of the house; nor when a member is speaking shall any member entertain private discourse or pass between the speaking member and the rostrum.

(H) REMARKS CONFINED. A member shall confine all remarks to the question under debate and avoid personalities. No member shall impugn the motive of any member's vote or argument.

(I) EXCEPTION TO WORDS SPOKEN IN DEBATE. If any member be called to order for words spoken in debate, the person calling the member to order shall repeat the words excepted to and they shall be taken down in writing at the clerk's table. No member shall be held in answer or be subject to the censure of the house for words spoken in debate if any other member has spoken before exception to them shall have been taken.

(J) TRANSGRESSION OF RULES - APPEAL. If any member, in speaking or otherwise, transgresses the rules of the house the speaker shall, or any member may, call the member to order, in which case the member so called to order shall immediately sit down unless permitted to explain; and the house shall, if appealed to, decide the case without debate; if there be no appeal, the decision of the chair shall be submitted to.

If the decision be in favor of the member called to order, the member shall be at liberty to proceed; if otherwise, and the case shall require it, the member shall be liable to the censure of the house.

#### ENDING OF DEBATE - PREVIOUS QUESTION

Rule 19. The previous question may be ordered on all recognized motions or amendments which are debatable by a two-thirds (2/3) vote of the members present.

The previous question is not debatable and cannot be amended.

The previous question shall be put in this form: "Representative \_\_\_\_\_ demands the previous question. As many as are in favor of ordering the previous question will say 'Aye'; as many as are opposed will say 'No'."

The results of the motion are as follows: If determined in the negative, the consideration goes on as if the motion had never been made; if decided in the affirmative it shall have the effect of cutting off all debate and bringing the house to a direct vote upon the motion or amendment on which it has been ordered: PROVIDED HOWEVER, That when a bill is on final passage or when the motion to postpone indefinitely is pending, one of the sponsors of the bill or the chair of the committee may have the privilege of closing debate after the previous question has been ordered.

If an adjournment is had after the previous question is ordered, the motion or proposition on which the previous question was ordered shall be put to the house immediately following the approval of the journal on the next working day, thus making the main question privileged over all other business, whether new or unfinished.

#### VOTING

Rule 20. (A) **PUTTING OF QUESTION.** The speaker shall put the question in the following form: "The question before the house is (state the question). As many as are in favor say 'Aye'; and after the affirmative vote is expressed, "as many as are opposed say 'No'."

(B) **ALL MEMBERS TO VOTE.** Every member who was in the house when the question was put shall vote unless, for special reasons, excused by the house.

All motions to excuse a member shall be made before the house divides or before the call for yeas and nays is commenced; and any member requesting to be excused from voting may make a brief and verbal statement of the reasons for making such request, and the question shall then be taken without further debate.

Upon a division and count of the house on the question, only members at their desks within the bar of the house shall be counted.

(C) **CHANGE OF VOTE.** When the electric roll call machine is used, no member shall be allowed to vote or change a vote after the speaker has locked the roll call machine. When an oral roll call is taken, no member shall be allowed to vote or change a vote after the result has been announced.

(D) **PRIVATE INTEREST.** No member shall vote on any question in which that member is immediately or particularly interested\*.

\*"A member who has a private interest in any bill or measure proposed or pending before the legislature shall disclose the fact to the house of which he is a member, and shall not vote thereon." ( Art. II § 30)

(E) **INTERRUPTION OF ROLL CALL.** Once begun, the roll call may not be interrupted. No member or other person shall visit or remain at the clerk's desk while the yeas and nays are being called.

(F) **YEAS AND NAYS - RECORDED VOTES.** Upon the final passage of any bill, the vote shall be taken by yeas and nays and shall be recorded by the electric voting system: PROVIDED, HOWEVER, That an oral roll call shall be ordered when demanded by one-sixth (1/6) of the members present. (Art. II § 21)

The speaker may vote last when the yeas and nays are called.

When the vote is by electric voting machine or by oral roll call on any question, it shall be entered upon the journal of the house. A recorded vote may be compelled by one-sixth (1/6) of the members present. A request for a recorded vote must be made before the vote is commenced.

(G) **TIE VOTE, QUESTION LOSES.** In case of an equal division, the question shall be lost.

(H) **DIVISION.** If the speaker is in doubt, or if division is called for by a member, the house shall divide.

### RECONSIDERATION

Rule 21. Notice of a motion for reconsideration on the final passage of bills shall be made on the day the vote to be reconsidered was taken and before the house has voted to transmit the bill to the senate.

Reconsideration of the votes on the final passage of bills must be taken on the next working day after such vote was taken: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution, or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, then reconsideration of votes on the final passage of bills must be taken on the same day as the original vote was taken. A motion to reconsider an amendment may be made at any time the bill remains on second reading.

Any member who voted on the prevailing side may move for reconsideration or give notice thereof.

A motion to reconsider can be decided only once when decided in the negative.

When a motion to reconsider has been carried, its effect shall be to place the original question before the house in the exact position it occupied before it was voted upon.

### CALL OF THE HOUSE

Rule 22. One-sixth (1/6) of the members present may demand a call of the house at any time before the house has divided or the voting has commenced by yeas and nays.

(A) DOORS TO BE CLOSED. When call of the house has been ordered, the sergeant at arms shall close and lock the doors, and no member shall be allowed to leave the chamber: PROVIDED, That the rules committee shall be allowed to meet, upon request of the speaker, while the house stands at ease: AND PROVIDED FURTHER, That the speaker may permit members to use such portions of the fourth floor as may be properly secured.

(B) SERGEANT AT ARMS TO BRING IN THE ABSENTEES. The clerk shall immediately call a roll of the members and note the absentees, whose names shall be read and entered upon the journal in such manner as to show who are excused and who are absent without leave.

The clerk shall furnish the sergeant at arms with a list of those who are absent without leave, and the sergeant at arms shall proceed to bring in such absentees; but arrests of members for absence shall not be made unless ordered by a majority of the members present.

(C) HOUSE UNDER CALL. While the house is under a call, no business shall be transacted except to receive and act on the report of the sergeant at arms; and no other motion shall be in order except a motion to proceed with business under the call of the house or a motion to excuse absentees. The motion to excuse absent members shall not be adopted unless a majority of the members elected vote in favor thereof.

(D) CALL OF HOUSE RAISED WHEN ABSENTEES RETURN. When the sergeant at arms shall make a report showing that all who were absent without leave are present, the call of the house may be dispensed with.

### APPEAL FROM DECISION OF CHAIR

Rule 23. The decision of the chair may be appealed from by any member, on which appeal no member shall speak more than once unless by leave of the house. In all cases of appeal, the question shall be: "Shall the decision of the chair stand as the judgment of the house?"

### STANDING COMMITTEES

Rule 24. The standing committees of the house and the number of members that shall serve on each committee shall be as follows:

1.	Agriculture and Rural Development . . . . .	12
2.	Appropriations . . . . .	30
3.	Capital Facilities & Financing . . . . .	13
4.	Commerce & Labor . . . . .	11
5.	Education . . . . .	19
6.	Energy & Utilities . . . . .	13
7.	Environmental Affairs . . . . .	12
8.	Financial Institutions & Insurance . . . . .	15
9.	Fisheries & Wildlife . . . . .	11
10.	Health Care . . . . .	11
11.	Higher Education . . . . .	14
12.	Housing . . . . .	9
13.	Human Services . . . . .	11
14.	Judiciary . . . . .	19
15.	Local Government . . . . .	14
16.	Natural Resources & Parks . . . . .	11
17.	Rules . . . . .	19
18.	Revenue . . . . .	17
19.	State Government . . . . .	10
20.	Trade & Economic Development . . . . .	13
21.	Transportation . . . . .	27

### DUTIES OF COMMITTEES

Rule 25. House committees shall operate as follows:

(A) NOTICE OF COMMITTEE MEETING. The chief clerk shall make public the time, place and subjects to be discussed at committee meetings. All public hearings held by committees shall be scheduled at least five (5) days in advance and shall be given adequate publicity: PROVIDED, That when less than eight (8) days remain for action on a bill, the Speaker may authorize a reduction of the five-day notice period when required by the circumstances, including but not limited to the time remaining for action on the bill, the nature of the subject, and the number of prior hearings on the subject.

(B) COMMITTEE QUORUM. A majority of any committee shall constitute a quorum for the transaction of business.

(C) SESSION MEETINGS. No committee shall sit while the house is in session without special leave of the speaker.

(D) DUTIES OF STANDING COMMITTEES.

(1) Only such bills as are included on the written notice of a committee meeting may be considered at that meeting except upon the vote of a majority of the entire membership of the committee to consider another bill.

(2) A majority recommendation of a committee must be signed by a majority of the entire membership of the committee in a regularly called meeting before a bill, memorial or resolution may be reported out: PROVIDED, That by motion under the eighth order of business, a majority of the members elected to the house may relieve a committee of a bill and place it on the second reading calendar.

Majority recommendations of a committee can only be "do pass", "do pass as amended" or that "the substitute be substituted therefor and that the substitute bill do pass."

(3) Minority reports "do not pass" or "without recommendation" may be submitted with the majority report. Members of the committee not concurring in the majority report may prepare a written minority report containing a different recommendation, which shall be signed by those members of the committee subscribing thereto.

(4) All committee reports shall be spread upon the journal. The journal of the house shall contain an exact copy of all committee reports, together with the names of the members signing such reports.

(5) Every vote to report a bill out of committee shall be taken by the yeas and nays, and the names of the members voting for and against, as well as the names of members absent, shall be recorded on the committee report and spread upon the journal. Any member may call for a recorded vote, which shall include the names of absent members, on any substantive question before the committee. A copy of all recorded committee votes shall be kept by the chief clerk and shall be available for public inspection.

(6) All bills having a direct appropriation shall be referred to the appropriate fiscal committee before their final passage. For purposes of this subsection, "fiscal committee" means the appropriations, capital facilities and financing, revenue, and transportation committees.

(7) No standing committee shall vote by secret written ballot on any issue.

(8) During its consideration of or vote on any bill, resolution or memorial, the deliberations of any standing committee of the house of representatives shall be open to the public.

#### FREE CONFERENCE COMMITTEE REPORT

Rule 26. No floor vote may be taken on any free conference report within twenty-four (24) hours of its placement on each member's desk, unless the free conference committee made no changes in the bill as it was last acted upon by the house.

#### VETOED BILLS

Rule 27. Veto messages of the governor shall be read in the house and entered upon the journal. It shall then be in order to proceed to reconsider the bill, refer it, lay it on the table, or postpone its consideration to a day certain.

The merits of the bill may be debated before the vote is taken, but the vote on a vetoed bill cannot be reconsidered.

In case of a bill containing several sections or items, one or more of which has been objected to by the governor, each section or item so objected to shall be voted upon separately by the house. Action by the house upon all vetoed bills shall be endorsed upon the bill and certified by the speaker.

Vetoed bills originating in the house, which have not been passed notwithstanding the veto of the governor, shall remain in the custody of the officers of the house until the close of the assembly, after which they shall be filed with the secretary of state.

#### SUSPENSION OF COMPENSATION

Rule 28. (1) Any member of the house of representatives convicted and sentenced for any felony punishable by death or by imprisonment in a Washington state penal institution shall, as of the time of sentencing, be denied the legislative salary for future service and be denied per diem, compensation for expenses, office space facilities and assistance. Any member convicted of a felony and sentenced therefor under any federal law or the law of any other state shall, as of the time of sentencing, be similarly denied such salary, per diem, expenses, facilities and assistance if either (a) such crime would also constitute a crime punishable under the laws of Washington by death or by imprisonment in a state penal institution, or (b) the conduct resulting in the conviction and sentencing would also constitute a crime punishable under the laws of Washington by death or by imprisonment in a state penal institution.

(2) At any time, the house may vote by a constitutional majority to restore the salary, per diem, expenses, facilities, and assistance denied a member under subsection (1). If the conviction of a member is reversed, then the salary, per diem, and expense amounts denied the member since his sentencing shall be forthwith paid to him, and the member shall thereafter have the rights and privileges of other members.

#### STANDING RULES AMENDMENT

Rule 29. Any standing rule or order of the house may be rescinded or changed by a majority vote of the members elected: PROVIDED, That the proposed change or changes be submitted at least one day in advance in writing to the members together with notice of the consideration thereof.

Any standing rule of order or business may be suspended temporarily by a two-thirds (2/3) vote of the members present: PROVIDED, That on and after the fifth day prior to the day of adjournment sine die of any session, as determined pursuant to Article II, Section 12 of the state Constitution, or concurrent resolution, or on and after the third day prior to the day a bill must be reported from the house as established by concurrent resolution, bill reading may be advanced by majority vote. (Rule 11)

#### SMOKING

Rule 30. Smoking of cigarettes, pipes or cigars shall not be permitted at any public meeting of any committee of the house of representatives or within the House Chamber.

"No smoking" signs shall be posted in all committee rooms of the house of representatives.

#### PARLIAMENTARY RULES

Rule 31. The rules of parliamentary practice comprised in Reed's Parliamentary Rules shall govern all cases in which they are not inconsistent with the standing rules and orders of the house.

#### RULES TO APPLY FOR ASSEMBLY

Rule 32. The permanent house rules adopted at the beginning of the assembly are to govern all acts of the house during the

course of the assembly unless amended or repealed.

Mr. Ebersole moved adoption of the resolution. Representatives Ebersole and Ballard spoke in favor of adoption of the resolution.

House Floor Resolution No. 91-4600 was adopted.

### ELECTION OF SPEAKER OF THE HOUSE

The Chief Clerk announced that nominations were in order for Speaker of the House of Representatives.

Mr. Ebersole: Thank you, Mr. Chief Clerk. State Representatives, distinguished guests: I rise to nominate Joseph E. King for Speaker of the Washington State House of Representatives and I do so proudly.

Joe King rose rapidly through the ranks of this House--committee chair in his second term, Majority Leader in his third term, Speaker in his fourth. His kids tell him he is also growing in the eyes of the press, who have added an inch to his reported height with every promotion. For the record Joe King is not six feet ten inches tall.

Nevertheless, we can all agree that Speaker Joe stands tall and casts a long shadow over this House. A Democratic House majority and a Republican Senate majority could be a prescription for partisan paralysis, but in fact the past four years have been among the most productive in the history of the State Legislature. Without Joe King's leadership that wouldn't have been possible. With it we have made Washington a national leader on some of the most difficult issues of our day--AIDS prevention, welfare reform, prenatal care, health insurance for the working poor, growth management, family leave and many others. Joe King's determination and political will have made these accomplishments possible.

Joe is a man of his word. He is a man of integrity. He is candid. He inspires trust. He has vision. He has courage. He tries to be fair. He listens to opposing views. He looks for consensus in controversy because he knows that not every compromise on policy is a compromise on principle and that one-sided solutions rarely last. And yet on issues where principles of conscience are at stake, such as freedom of reproductive choice, Joe neither seeks nor sets compromise. Leaders shouldn't compromise on their principles of conscience. In those cases Joe can play hard ball, but he doesn't throw spit balls. He doesn't launch sneak attacks. When he disagrees with you, he's up front about it and leaders on both sides of the aisle respect that.

You know, Joe King can look you in the eye and say "No" with greater ease than anyone I know. He's very good at it. People respect Joe's willingness to be up front on politically difficult issues. He doesn't hide from tough issues or tough votes. Ask locked-out workers and farm workers and minimum wage workers. Ask Native Americans, the poor, the medically indigent and persons with AIDS. Ask them and they will tell you that Joe King doesn't shrink from the front lines; he tries to help to lead the way.

And why does Joe take political risk by getting out front on controversial issues? For the simple reason that he has courage and he cares. He cares deeply about the people of this state. Those who know Joe best, know just how deeply he cares. I have seen him agonize over hardships faced by Eastern Washington farm workers. I've seen tears in his eyes as he describes a young mother who can't afford medicine for her own child. That's the kind of man Joe King is. That's the kind of leader he is. That's why I am proud to call him my friend. That's why I am proud to nominate Joseph E. King for the office of Speaker of the Washington State House of Representatives.

Ms. Ogden: I am proud to second the nomination of Joe King for Speaker of the Washington State House of Representatives. Joe has been an excellent presiding officer, known for his consistency and fairness. In the 49th District, which I share in representing, he is viewed as a respected business man and a dedicated representative. He is loyal and thoughtful--a man to be proud of. I am privileged to second this nomination. Thank you.

Ms. Silver: Thank you, Mr. Speaker. It is truly with great pride and pleasure that I rise today to place in nomination the name of my distinguished colleague and friend, Representative Clyde Ballard.

I place his name in nomination as Speaker of the House of Representatives. However, I stand before you with a slight suspicion that the outcome of this election is already known. We even know what the vote count may be.

Nevertheless, I do wish to place Representative Ballard's name before you. I do this for several reasons. Clyde Ballard's leadership and commitment to service in this body are well known. He would be a credit, not only to the House of Representatives but also to that most important body, the people of this state. Representative Ballard has played a major role in developing improved working relationships between the two political parties that represent the public in this arena. Representative Ballard has earned our respect, not only because of his talent, but also because of his sound judgment, his willingness to listen to each of us, his open-minded approach to problem solving, and his very deep sense of integrity.

These attributes would go a long way in making him a truly outstanding Speaker for the House of Representatives. I place his name in nomination with pride and ask for all of your support. Thank you.

Ms. Miller: Thank you, Mr. Chief Clerk. Members of the House: I would like to second the nomination of Representative Clyde Ballard.

Clyde Ballard and I were members of the freshman class of 1983. I know we have changed that term. We no longer call them freshmen; we call them new members. I would like tell you that I have enjoyed working with Clyde since then and as a member of his leadership team for the past four years and for the next two years. Since we have so many new faces in the House, I think it would be nice to have a new face on the rostrum--somebody who can wield a mean gavel and get us out of here on time.

I would like you to consider giving your vote to Representative Clyde Ballard for Speaker of the House of Representatives.

Thank you.

### MOTION

On motion of Mr. Ebersole, the nominations for Speaker of the House were closed.

### ROLL CALL

The Clerk called the roll and Representative Joe King was elected Speaker of the House of Representatives by the following vote: Those voting for Mr. King - 58, those voting for Mr. Ballard - 40.

Voting for Representative J. King: Representatives Anderson, Appelwick, Ballard, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, G. Fisher, R. Fisher, Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, R. Johnson, Jones, R. King, Kremen, Leonard, Locke, Ludwig, R. Meyers, Morris, H. Myers, Nelson, O'Brien, Ogden, Orr, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, H. Sommers, Spanel, Sprengle, Valle, Wang, Wineberry, Zellinsky - 58.

Voting for Representative Ballard: Representatives Beck, Betrozoff, Bowman, Broback, Brough, Brumsickle, Casada, Chandler, Edmondson, Ferguson, Forner, Fuhrman, Hochstatter, Holland, Horn, P. Johnson, J. King, Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Paris, Prince, Schmidt, Silver, D. Sommers, Tate, Vance, Van Loven, Wilson, Winsley, Wood, Wynne - 40.

### COMMITTEE OF HONOR

The Chief Clerk appointed Representatives Ogden and Bowman as a committee of honor to escort Representative Joe King to the rostrum.

Justice Guy administered the oath of office to Speaker King.

The Chief Clerk presented the gavel to the Speaker.

### SPEAKER'S ACCEPTANCE SPEECH

The Speaker: Thank you. When I was walking in from the State Reception Room, Representative Rasmussen asked me if I still got butterflies. The answer was "Yes." I was reminded of a statesman from the other Washington and the other capital who said that, when a legislator no longer gets butterflies as he or she approaches the magnificent capitol, they ought to consider leaving office. I tell you, I still get butterflies when I walk into this Chamber. Anyone, who knows how much I respect this wonderful institution, knows how honored I am to lead this magnificent group of people.

In the November election this House lost some very able leaders on both sides of the aisle, and all of the incumbents here feel the loss of those old friends. The oath of office sworn today by all of us has brought new leaders and a Speaker for the entire House, who wants to welcome all the new and returning

members. Let's have a round of applause. Congratulations and thanks, Representatives.

I wish today was starting on a more certain note--a less uncertain note. As I think of the process--the individual and highly personal struggle--we've each gone through to clarify our thinking about the state of world events, I remind you that our constituents are struggling equally. They are frightened and confused. We really have two jobs in this place. Maybe the second most important is to write new legislation and balance the budget. Perhaps the most important job, that any of us do, is to lead our communities. The signals, the strength, and the clarity of purpose and vision, which come from this body as we debate, can offer great solace and consolation to those people whom we represent. We are, in fact, elected to help lead those constituents. We have an obligation--and I think we have had some success over the last four years--to learn how to debate, lead, differ from time to time, and recognize that we can have differences without the awful tearing seen at different times in the history of this country. The signals we forward from this body have a lot to do with the way the public responds.

To all of those who voted for me today, thank you very much. I will do everything I can to retain your confidence. To the members of the minority party, I am cognizant that I am elected as Speaker of the entire House and will do everything I can to continue to gain your trust. To my good friend, Representative Ballard, while I hold the gavel--and I don't plan to change that--it's going to take both of us, working together with the support of our respective caucuses, to lead us through this very, very difficult session.

With that, thank you all very much. This is a great honor which you have bestowed upon me.

#### POINT OF PERSONAL PRIVILEGE

Mr. Ballard: Thank you, Mr. Speaker. I would like to congratulate you, Representative King, on your re-election as Speaker. I must admit to you that I thought this would have been a good year for you to retire and try something different. Then the vote may have been different. It is always a shock to come out and see your name, Mr. Speaker King, already posted on the voting equipment--it's a strong hint. Since we didn't change things, we look forward to continuing a good working relationship this session. Again, congratulations.

As we launch into this scheduled one-hundred-and-five-day session, it's interesting to think about how many things have changed since Washington's First Legislature, yet how many things remain the same. For example, we now have offices--they tell me in the early days we didn't have those. We have telephones. We have those delightful hotline messages and a host of other ways with which we can communicate with constituents and they in turn can communicate with us. I am told this was not the case twenty years ago.

Surprisingly, what hasn't changed in many respects are the challenges facing us as we start the 1991 session. Education of our young people, protection of our homes and families, development of a transportation system to safely move people and products--all of these issues and many more remain high priorities for state government.

There is, of course, one very serious issue facing our county that makes the start of this session a sobering one. That is the threat of war in the Mid-East. Add the unsettling events taking place in the Soviet Union and we all have reason to be anxious. Many of us have family or friends already in the Mid-East. We all pray that they will return home soon and safely.

One of the joys of starting a new session is to see so many new faces in the House. I believe that we have an opportunity to learn from the fresh ideas and energy that the new members will bring to this body.

It is obvious that there are differences between our two caucuses--differences that will be debated on some of the substantial issues we will be asked to address this year. I can assure you that we will operate as the loyal opposition. We will not, however, obstruct the process. We may try to save you from yourselves at times, but we will not obstruct the process.

Again, we look forward to a good session. We are prepared to work with you in conducting the people's business.

Thank you.

#### ELECTION OF SPEAKER PRO TEMPORE

The Speaker announced that nominations were in order for Speaker Pro Tempore of the House of Representatives.

Ms. Hine: Thank you, Mr. Speaker. It is a great pleasure for me to place in nomination the name of The Honorable John L. O'Brien for Speaker Pro Tempore.

As we talk about our awesome responsibility here and our willingness and eagerness to work together in the interest of the people of the state, there is no one in this Chamber who could do a better job of guiding us than John L. O'Brien. John is now in his twenty-sixth term in the House of Representatives--more than anyone in the State of Washington, in the nation and possibly in the heavens. John was first appointed to the Legislature in 1939; that was a good year for John L. O'Brien. Every year since then he has served with distinction. He served four consecutive terms as Speaker--the longest ever in the State of Washington--and has served nine terms as Speaker Pro Tempore.

John has guided us all with his great skills as a parliamentarian. To do our business we must follow rules; we have our differences, but we must differ according to the parliamentary rules. John guides us well in that. He is certainly an institution of decorum himself and demands the same of others. He has been honored by us in the past few year with the renaming of the House Office Building in 1989. Just a couple of years ago he published a book, Speaker of the House, telling about his experience in politics in the State of Washington. It is a wonderful book.

John has changed a lot with the times and I think that is commendable. I decided to pick just one thing to show the significant changes between 1939 and 1991. In 1939 there were four women in the House of Representatives; in 1991 I am pleased to note that there are thirty-five women in the House of Representatives. Representative O'Brien has recognized these changes. My very favorite campaign picture of Representative O'Brien is one of him standing in

the yard of his home surrounded by many women and showing his support for women's issues and the important role that women play in the State of Washington.

There are so many things that John has done for us and with us. I feel confident that he will continue to wield the gavel, when our Speaker is not presiding, in the same kind of orderly and fair fashion that he always has. I am extremely pleased to commend to you John L. O'Brien for Speaker Pro Tempore.

Mr. Dellwo: Thank you, Mr. Speaker. Justice Guy, members of the House: It is a great honor for me to rise and second the nomination of John O'Brien for the position of Speaker Pro Tempore.

I like to think of John as, more or less, my professor in state government. I'm afraid I'm still in grammar school, though. John continues to run a tough school, as most of us know.

There are many who are thinking about limiting terms of legislators, but surely they weren't thinking of John. To do that they would have to ignore his tremendous skills and the intellect he brings to state government.

I'm not sure how good his first twelve years were. We read about them and we understand that they were quality years. Many of us were not born at that time or were too young to remember and take note. I do know that after that first twelve years, John provided some terrific lessons to the state and nation. He has given us the examples and guidance. He gives us training in parliamentary procedure. He gives us lessons--continuing lessons--freely given and warmly received. We will continue to receive them as we grow in this House.

I think that we should keep John in this position so that he can continue with his great leadership. I would encourage your support for John as Speaker Pro Tempore.

Mr. Jacobsen: Thank you, Mr. Speaker. I also rise to place the name of John O'Brien in nomination for Speaker Pro Tempore.

I was thinking that not a lot has changed. The world was at war in 1939, and the American people were facing a lot of challenges. One of the things we needed then, we need now, and that is strong personal qualities. I think John had strong personal qualities then, and that was the reason he was here. I suspect most of us were selected because of one or another of our personal qualities.

I would like to share with you one of John's personal qualities--he didn't tell me this himself and I was surprised to learn it. In a discussion with one of my constituents one day, he said to me, "Say, is little Johnny O'Brien still in Olympia?" I thought for a minute; I didn't know any little Johnny O'Brien. Finally, I said, "You mean, Speaker O'Brien?" He said, "Yes, that's right." I told him John was still here, and he told me the following story about John.

My constituent's father owned a grocery store in the Rainier Valley. John's father was a police officer with the Seattle police force and was killed in the line of duty. John was the oldest boy in an Irish family, and it was the responsibility of the oldest boy to become the father in the family and see the rest of the children through school, putting aside his own personal needs and his own

ambitions. John did that. He worked in the constituent's father's grocery store until the last in that family had gone through school. Then John picked up and went on with the rest of his career.

I think that quality, that sense of duty and love of family, was valid at that time and is going to be important now. I think having a person like John O'Brien around to remind us of what is important in life is always going to be valuable to this body.

Thank you.

## MOTIONS

On motion of Mr. Ebersole, the nominations for Speaker Pro Tempore of the House of Representatives were closed.

On motion of Mr. Ebersole, a unanimous ballot was cast for Representative John L. O'Brien as Speaker Pro Tempore of the House of Representatives.

## COMMITTEE OF HONOR

The Speaker appointed Representatives Locke and Wilson as a committee of honor to escort Representative O'Brien to the rostrum.

Justice Guy administered the oath of office to Speaker Pro Tempore O'Brien.

## REMARKS BY SPEAKER PRO TEMPORE O'BRIEN

Mr. O'Brien: Justice Guy, Mr. Speaker, ladies and gentlemen of the House: It is hard for me to express my feelings at a time like this. You are all such great people. The nominating speeches recall great memories of this House of Representatives, particularly when Representative Hine spoke of the women members. It has been my good fortune to be associated with some of the finest women legislators in the world right here in this Chamber.

I want to thank each and every one of you for again giving me the high honor and privilege to be the Speaker Pro Tempore of the House of Representatives for this Fifty-Second Session of the Washington State Legislature. I look forward to serving with all of you and Speaker King, and I know we will have a very productive session.

I would like to acknowledge the gracious and kind remarks expressed by Representative Hine, Representative Dellwo and Representative Jacobsen in their nominating speeches.

Let me introduce to you members of my family here today--my wife Mary, my daughters Laurie and Mary Ann, and my granddaughter Jessica.

Thank you very much for giving me this high honor. I look forward to serving with each and every one of you. I know we will have a very successful session. Thank you very much.

The Speaker instructed the committee of honor to escort Speaker Pro Tempore O'Brien to his seat on the floor of the House.

## ELECTION OF CHIEF CLERK

The Speaker announced that nominations were in order for Chief Clerk of the House of Representatives.

Ms. Cole: Thank you, Mr. Speaker. I feel it is a very real privilege to place in nomination the name of Alan Thompson for Chief Clerk of the House of Representatives. I first met Alan in 1982, when I was appointed and served one year in the House. Alan was a member of the House at that time and then, as you know, he went on to serve in the Senate. During his four years as Chief Clerk he has brought many innovative organizational changes to help us be more effective in our role of representing the citizens of this state. Alan is dedicated to the institution of the House of Representatives, and I know that he will continue to serve us well. I ask you to join with me in voting for Alan Thompson for Chief Clerk of the House of Representatives. Thank you.

Mr. Prince: Mr. Speaker, Justice Guy, members of the House: I consider it a great honor and privilege to second the nomination of Alan Thompson for Chief Clerk. I have known Alan for a long period of time--since he first came to this body. There are many things to say in his behalf, but only one I consider important for a Chief Clerk. We entrust in the Chief Clerk--more than any other officer of the House--the traditions of the House, the integrity of the House and the efficiency of the House's operations. Alan Thompson has proved that he believes in this institution. He believes in its traditions. He has done much to improve the efficiency of our deliberations. That, more than any other thing, highly qualifies him as Chief Clerk of this House. I urge your support.

## MOTIONS

On motion of Mr. Ebersole, the nominations for Chief Clerk of the House of Representatives were closed.

On motion of Mr. Ebersole, a unanimous ballot was cast for Mr. Alan Thompson as Chief Clerk of the House of Representatives.

Justice Guy administered the oath of office to Chief Clerk Thompson.

## REMARKS BY CHIEF CLERK THOMPSON

Mr. Thompson: Thank you, Mr. Speaker, Mr. Justice. If my wife Barbara is here, I'd like to acknowledge her at this point. Representative Cole and Representative Prince, thank you very much for your kind and generous remarks and your faith. I also would like to thank those who were inclined to make remarks at this time but did not.

To each of you individually and to all of you together I want to express my gratitude for this honor of continuing to serve you in this capacity, in this very important work that you have to do. You've heard me give my oath of office, and I do indeed pledge to do my utmost to assist you and support you in

carrying out your important tasks. In addressing those tasks I wish you every success. Thank you.

#### APPOINTMENT OF SPECIAL COMMITTEE

The Speaker appointed Representatives Appelwick and Padden to escort The Honorable Richard Guy, Justice of the Supreme Court of the State of Washington from the House Chamber.

#### RESOLUTION

HOUSE RESOLUTION NO. 91-4601, by Representatives Ebersole and Ballard

BE IT RESOLVED, That the Speaker appoint a committee of four members of the House to notify the Senate that the House of Representatives is now organized and ready to conduct business.

On motion of Mr. Ebersole, House Floor Resolution No. 91-4601 was adopted.

#### APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of House Floor Resolution No. 91-4601, the Speaker appointed Representatives Cooper, Spanel, Broback and Brough to notify the Senate that the House was organized and ready to conduct business.

#### MOTION

On motion of Mr. Ebersole, the House reverted to the fourth order of business.

#### INTRODUCTIONS AND FIRST READING

HB 1001 by Representatives Locke, Ballard, Appelwick, Peery, Ludwig, Belcher, Prince, H. Myers, Tate, Vance, D. Sommers, Morton, Wineberry, Mitchell, Beck, Forner, McLean, Brough, Edmondson, Chandler, P. Johnson, Moyer, Hochstatter, Lisk, Wood, Paris, Casada, Nealey, Brekke, Silver, Wynne, Fraser, May and Anderson

AN ACT Relating to nonpartisan elections; amending RCW 29.21.150 and 29.30.085; providing an effective date; and providing an expiration date.

Referred to Committee on State Government.

HB 1002 by Representatives Locke, Heavey, Sheldon, Basich, Miller, Phillips, Jacobsen, Zellinsky, Dellwo, Wineberry, Winsley, Van Luven, R. King, Wynne, Orr, Wilson, Jones and Anderson

AN ACT Relating to property tax relief for persons receiving in-home health care; and amending RCW 84.36.383.

Referred to Committee on Revenue.

HB 1003 by Representatives O'Brien, Dellwo, Wineberry and Brough

AN ACT Relating to information on prescription drugs; and adding a new section to chapter 18.64 RCW.

Referred to Committee on Health Care.

HB 1004 by Representatives O'Brien, Dellwo, Winsley, Beck, Brough and Nealey

AN ACT Relating to property tax exemptions; and amending RCW 84.36.381 and 84.36.383.

Referred to Committee on Revenue.

HB 1005 by Representatives O'Brien, Basich and Winsley

AN ACT Relating to treatment of minors; and amending RCW 71.34.030.

Referred to Committee on Human Services.

HB 1006 by Representatives O'Brien and Dellwo

AN ACT Relating to historical activities; creating a new section; and making an appropriation.

Referred to Committee on Capital Facilities & Financing.

HB 1007 by Representatives O'Brien, Heavey, Miller, Dellwo, Winsley, Van Luven, McLean, Brekke and Wilson

AN ACT Relating to children in need of treatment; adding new sections to chapter 13.34 RCW; and creating new sections.

Referred to Committee on Human Services.

HB 1008 by Representatives O'Brien, Dellwo, Wineberry and Winsley

AN ACT Relating to label information for over-the-counter medications; adding a new section to chapter 69.60 RCW; creating new sections; and providing an effective date.

Referred to Committee on Health Care.

HB 1009 by Representatives Haugen, Wilson, Zellinsky, Wood, Pruitt, Winsley, Van Luven, Brough, Mitchell, Wynne and Rayburn

AN ACT Relating to community councils in unincorporated areas; adding a new chapter to Title 36 RCW; creating a new section; and repealing RCW 36.32.500 and 36.32.505.

Referred to Committee on Local Government.

HB 1010 by Representatives Haugen, Wilson, Spanel, Morris, Cole, Zellinsky, Winsley, Orr and Wynne

AN ACT Relating to natural resource enforcement; adding a new section to Title 43 RCW; creating new sections; and providing an effective date.

Referred to Committee on Fisheries & Wildlife.

HB 1011 by Representatives Haugen, Wilson, Spanel, Morris, Cole, Zellinsky, Basich, Winsley, Orr and Wynne

AN ACT Relating to marine fish research; amending RCW 75.28.095; adding a new section to chapter 75.25 RCW; adding a new section to chapter 75.28 RCW; adding a new chapter to Title 75 RCW; adding new sections to chapter 43.131 RCW; and providing an effective date.

Referred to Committee on Fisheries & Wildlife.

HB 1012 by Representatives Haugen, Wilson, Spanel, Morris, Cole, Zellinsky, Basich, Miller, Orr and Wynne

AN ACT Relating to the loss of nets in the aquatic environment; adding new sections to chapter 75.28 RCW; adding a new section to Title 82 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Fisheries & Wildlife.

HB 1013 by Representatives Zellinsky, Ferguson, Haugen, Horn, Roland, Wood and Mitchell

AN ACT Relating to cities and towns; amending RCW 35.02.078, 35.02.130, 35.02.210, 35.02.220, and 52.02.020; adding new sections to chapter 35.02 RCW; and declaring an emergency.

Referred to Committee on Local Government.

HB 1014 by Representatives Roland, Wood, Zellinsky, Ferguson, Haugen, Horn, Basich, Winsley, Nealey and Wynne

AN ACT Relating to local improvement districts; adding a new section to chapter 39.46 RCW; and adding a new chapter to Title 39 RCW.

Referred to Committee on Local Government.

HB 1015 by Representatives Haugen, Ferguson, Roland, Horn, Zellinsky, Phillips, Winsley, Nealey, Nelson, Fraser and Rayburn

AN ACT Relating to local government service agreements; adding a new chapter to Title 36 RCW; adding a new section to chapter 36.93 RCW; adding new sections to chapter 43.63A RCW; adding a new section to chapter 46.68 RCW; adding a new section to chapter 66.08 RCW; adding new sections to chapter 82.14 RCW; adding a new section to chapter 82.44 RCW; and providing a contingent effective date.

Referred to Committee on Local Government.

HB 1016 by Representatives Kremen, May, Betrozoff, Zellinsky, Horn, Jacobsen, R. Fisher, Heavey, Wood, Wineberry, O'Brien, Peery, Rasmussen, D. Sommers, Dorn, Cantwell, R. Johnson, Spanel, Dellwo, Leonard, Cole, Hine, Basich, Grant, Scott, Braddock, Brekke, Winsley, Appelwick, Ludwig, Ebersole, Belcher, Fraser, Pruitt, Jones, Sheldon, Holland, Phillips, Orr, Neher, Paris, Wynne and H. Sommers

AN ACT Relating to eligibility for a concealed weapon permit; and amending RCW 9.41.070.

Referred to Committee on Judiciary.

HB 1017 by Representatives Ferguson, Haugen, Horn, Roland, Cole, Wood, Zellinsky, D. Sommers, Nealey, Nelson, Mitchell, Fraser and May

AN ACT Relating to provision of a process to alter local governments; amending RCW 29.30.101; adding a new chapter to Title 36 RCW; adding new sections to chapter 43.63A RCW; adding a new section to chapter 46.68 RCW; adding a new section to chapter 66.08 RCW; adding new sections to chapter 82.14 RCW; adding a new section to chapter 82.44 RCW; and providing a contingent effective date.

Referred to Committee on Local Government.

HJR 4200 by Representatives Locke, Ballard, Appelwick, Peery, Ludwig, Belcher, Prince, H. Myers, Tate, Vance, D. Sommers, Morton, Wineberry, McLean, Edmondson, Chandler, P. Johnson, Moyer, Hochstatter, Lisk, Wood, Paris, Casada, Nealey, Brekke, Silver, May and Anderson

Amending the Constitution to remove the special procedures for superior court judge elections.

Referred to Committee on State Government.

HJR 4201 by Representatives Ferguson, Haugen, Horn, Roland, Wood, Zellinsky, D. Sommers, Winsley, Nealey, Nelson and Fraser

Amending the Constitution to provide an alternative method of framing a county charter.

Referred to Committee on Local Government.

HJR 4202 by Representatives Ferguson, Haugen, Horn, Roland, Cole, Wood, Zellinsky, D. Sommers, Winsley, Nealey, Nelson and Fraser

Allowing the review and modification of local government.

Referred to Committee on Local Government.

HCR 4400 by Representatives Ebersole and Ballard

Resolving to meet in joint session.

HCR 4401 by Representatives Ebersole and Ballard

Notifying the governor that the legislature is prepared to conduct business.

#### MOTIONS

On motion of Mr. Ebersole, the rules were suspended and House Concurrent Resolution No. 4401 was advanced to second reading and read the second time in full.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

House Concurrent Resolution No. 4401 was adopted.

#### MOTION

On motion of Mr. Ebersole, House Concurrent Resolution No. 4401 was transmitted immediately to the Senate.

## APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of House Concurrent Resolution No. 4401, the Speaker appointed Representatives Anderson, Valle, May and Mielke to notify the Governor that the Legislature was organized and ready to conduct business.

## MOTIONS

On motion of Mr. Ebersole, the rules were suspended and House Concurrent Resolution No. 4400 was advanced to second reading and read the second time in full.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

House Concurrent Resolution No. 4400 was adopted.

## MOTION

On motion of Mr. Ebersole, House Concurrent Resolution No. 4400 was transmitted immediately to the Senate.

## MOTION

On motion of Mr. Ebersole, the bills and resolutions listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

## REPORT OF SPECIAL COMMITTEE FROM SENATE

The Sergeant at Arms announced the arrival of a special committee from the Senate and the Speaker instructed him to escort the committee to the bar of the House.

The committee, consisting of Senators Roach, Erwin, Jesernig and Rinehart, advised the House that the Senate was organized and ready to conduct business.

The report was received and the special committee was escorted from the House Chamber.

## REPORT OF SPECIAL COMMITTEE

The special committee appointed under the terms of House Floor Resolution No. 91-4601 appeared at the bar of the House and reported that they had notified the Senate that the House was organized and ready to conduct business.

The report was received and the committee was discharged.

## REPORT OF SPECIAL COMMITTEE

The special committee appointed under the terms of House Concurrent Resolution No. 4401 appeared at the bar of the House and reported that they had notified the Governor that the Legislature was organized and ready to conduct business.

The report was received and the committee was discharged.

On motion of Mr. Ebersole, the House advanced to the eleventh order of business.

## STANDING COMMITTEE ASSIGNMENTS

The Speaker announced the following standing committee appointments:

**AGRICULTURE & RURAL DEVELOPMENT:** Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Minority Member; P. Johnson, Assistant Ranking Minority Member; Chandler, Grant, R. Johnson, Lisk, McLean, Rasmussen, Roland.

**APPROPRIATIONS:** Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick, Belcher, Bowman, Belcher; Braddock, Brekke, Dorn, Ebersole, Ferguson, Fuhrman, Hine, Holland, Lisk, May, McLean, Mielke, Nealey, Peery, Pruitt, Rust, H. Sommers, Sprenkle, Valle, Vance, Wang, Wineberry.

**CAPITAL FACILITIES & FINANCING:** Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schmidt, Ranking Minority Member; Neher, Assistant Ranking Minority Member; Beck, Braddock, Brough, Casada, Fraser, Heavey, Jacobsen, Ogden, Peery, Silver, Wang.

**COMMERCE & LABOR:** Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin, Jones, R. King, O'Brien, Prentice, Vance, Wilson.

**EDUCATION:** Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betrozoff, Broback, Brumsickle, Cole, Dorn, Holland, P. Johnson, Jones, Neher, Orr, Phillips, Rasmussen, Roland, H. Sommers, Valle.

**ENERGY & UTILITIES:** Representatives Grant, Chair; H. Myers, Vice Chair; May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Bray, Casada, Cooper, R. Fisher, Jacobsen, R. Meyers, Miller.

**ENVIRONMENTAL AFFAIRS:** Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray, Brekke, G. Fisher, Neher, Phillips, Pruitt, D. Sommers, Sprenkle, Van Luven.

**FINANCIAL INSTITUTIONS & INSURANCE:** Representatives Dellwo, Chair; Zellinsky, Vice Chair; Broback, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Anderson, Dorn, Inslee, R. Johnson, Rayburn, Paris, Rayburn, Schmidt, Scott, Winsley.

**FISHERIES & WILDLIFE:** Representatives R. King, Chair; Morris, Vice Chair; Wilson, Ranking Minority Member; Fuhrman, Assistant Ranking Minority Member; Basich, Cole, Haugen, Hochstatter, Orr, Padden, Spanel.

**HEALTH CARE:** Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell, Edmondson, Franklin, Morris, Paris, Prentice, Sprenkle.

**HIGHER EDUCATION:** Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Basich, Dellwo, Fraser, Ludwig, Miller, Prince, Sheldon, Spanel, Van Luven.

**HOUSING:** Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Ballard, Leonard, Ogden, Wineberry.

**HUMAN SERVICES:** Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson, Beck, Brekke, Hargrove, Hochstatter, R. King, H. Myers.

**JUDICIARY:** Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher, Broback, Forner, Hargrove, Inslee, Locke, R. Meyers, Mielke, H. Myers, Riley, Scott, D. Sommers, Tate, Vance, Wineberry.

**LOCAL GOVERNMENT:** Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray, Edmondson, Franklin, Horn, Nealey, Nelson, Rayburn, Roland, Wood, Wynne, Zellinsky.

**NATURAL RESOURCES & PARKS:** Representatives Belcher, Chair; Scott, Vice Chair; Beck, Ranking Minority Member; Brumsickle, Assistant Ranking Minority Member; Dellwo, Fraser, Hargrove, Morton, Riley, Sheldon, Wynne.

**REVENUE:** Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick, Belcher, Brumsickle, Day, Leonard, Morris, Morton, Phillips, Rust, Silver, Van Luven.

**RULES:** Representatives J. King, Chair; O'Brien, Vice Chair; Ballard, Ranking Minority Member; Bowman, Cole, Dorn, Ebersole, Hargrove, Hine, R. Meyers, Miller, H. Myers, Padden, Prince, Scott, D. Sommers, Spanel, Tate, Valle.

**STATE GOVERNMENT:** Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler, R. Fisher, Grant, Moyer, O'Brien, Sheldon.

**TRADE & ECONOMIC DEVELOPMENT:** Representatives Cantwell, Chair; Sheldon, Vice Chair; Forner, Ranking Minority Member; Betzoff, Assistant Ranking Minority Member; Ferguson, Kremen, Ludwig, Moyer, Rasmussen, Riley, Roland.

**TRANSPORTATION:** Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betzoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich, Brough, Cantwell, Cooper, Day, G. Fisher, Forner, Haugen, Heavey, Horn, P. Johnson, R. Johnson, Jones, Kremen, Mitchell, Nelson, Orr, Prentice, Prince, Schmidt, Wilson, Wood, Zellinsky.

## MESSAGE FROM THE SECRETARY OF STATE

The Honorable Speaker of the House of Representatives  
 The Legislature of the State of Washington  
 Olympia, Washington  
 Mr. Speaker:

I, Ralph Munro, Secretary of State of the State of Washington, do hereby certify that, according to the provisions of RCW 29.62.130, I have canvassed the returns of the 1,362,651 votes cast by the 2,225,101 registered voters of the state for and against the initiative and the constitutional amendments which were submitted to the vote of the people at the state general election held on the sixth day of November, 1990, from the returns received from the County Auditors for the thirty-nine counties of the state. The total number of votes cast for and against each of these measures was as follows:

## INITIATIVE MEASURE 547

"Shall state growth and environmental protection goals be implemented by measures including local comprehensive land use planning and development fees?"

Yes .....	327,339
No .....	986,505

## HOUSE JOINT RESOLUTION 4203

"Shall constitutional provisions governing the creation of new counties be amended to alter requirements for county formation, annexation, and consolidation?"

Yes .....	403,377
No .....	810,098

## HOUSE JOINT RESOLUTION 4231

"Shall a constitutional amendment permit voters at an election to approve excess property taxes for up to six-year periods?"

Yes .....	407,423
No .....	848,026

## SENATE JOINT RESOLUTION 8212

"Shall a constitutional amendment permit basing the tax value of low-income housing of five or more units upon current use?"

Yes .....	606,552
No .....	608,338

I further certify that, according to the provisions of RCW 43.07.030, I have canvassed the returns of the 1,362,651 votes cast at the state general election held on the 6th day of November, 1990, for all federal, state-wide, judicial, joint

judicial, and joint-legislative offices, and that the votes cast for candidates of these offices are as follows:

U.S. REPRESENTATIVE, 1st District	
Sullivan (D) .....	92,447
Miller (R) .....	100,339
U.S. REPRESENTATIVE, 2nd District	
Swift (D) .....	92,837
Smith (R) .....	75,669
McCord (Libertarian) .....	15,165
U.S. REPRESENTATIVE, 3rd District	
Unsoeld (D) .....	95,645
Williams (R) .....	82,269
U.S. REPRESENTATIVE, 4th District	
Hougen (D) .....	44,241
Morrison (R) .....	106,545
U.S. REPRESENTATIVE, 5th District	
Foley (D) .....	110,234
Derby (R) .....	49,965
U.S. REPRESENTATIVE, 6th District	
Dicks (D) .....	79,079
Mueller (R) .....	49,786
U.S. REPRESENTATIVE, 7th District	
McDermott (D) .....	106,761
Penberthy (R) .....	35,511
Scherr (Socialist Workers) .....	5,370
U.S. REPRESENTATIVE, 8th District	
Giles (D) .....	75,031
Chandler (R) .....	96,323
STATE SUPREME COURT, Position 1 (Unexpired term)	
Guy (Nonpartisan) .....	796,872
STATE SUPREME COURT, Position 2	
Smith (Nonpartisan) .....	787,718
STATE SUPREME COURT, Position 3	
Durham (Nonpartisan) .....	802,241

## STATE SUPREME COURT, Position 4

Johnson (Nonpartisan) .....	796,943
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## COURT OF APPEALS, Division 2, District 2

(Clallam, Grays Harbor, Jefferson, Kitsap, Mason, Thurston)

Alexander (Nonpartisan) .....	103,481
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## COURT OF APPEALS, Division 3, District 1

(Ferry, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens)

Thompson (Nonpartisan) .....	99,237
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## COURT OF APPEALS, Division 3, District 3

(Chelan, Douglas, Kittitas, Klickitat, Yakima)

Munson (Nonpartisan) .....	52,815
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## STATE REPRESENTATIVE, 1st District, Position 1

Rust (D) .....	18,999
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Bye (R) .....	10,258
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## STATE REPRESENTATIVE, 1st District, Position 2

Cole (D) .....	17,863
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Cropley (R) .....	11,308
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## STATE REPRESENTATIVE, 2nd District, Position 1

Rasmussen (D) .....	10,058
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Fix (R) .....	4,973
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## STATE REPRESENTATIVE, 2nd District, Position 2

Dorn (D) .....	9,395
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Smith (R) .....	5,160
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## STATE SENATOR, 7th District

Graffis (D) .....	12,249
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Barr (R) .....	15,859
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## STATE REPRESENTATIVE, 7th District, Position 1

Reed (D) .....	10,697
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Fuhrman (R) .....	17,174
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## STATE REPRESENTATIVE, 7th District, Position 2

McLaughlin (D) .....	11,159
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Morton (R) .....	16,110
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## STATE REPRESENTATIVE, 9th District, Position 1

Moore (D) .....	10,593
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Nealey (R) .....	11,102
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STATE REPRESENTATIVE, 9th District, Position 2

Zalesky (D) .....	8,220
Prince (R) .....	13,069

STATE REPRESENTATIVE, 10th District, Position 1

Wilson (R) .....	19,069
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STATE REPRESENTATIVE, 10th District, Position 2

Haugen (D) .....	21,567
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STATE REPRESENTATIVE, 12th District, Position 1

Ballard (R) .....	19,330
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STATE REPRESENTATIVE, 12th District, Position 2

Moody (D) .....	9,335
McLean (R) .....	16,324

STATE SENATOR, 13th District

Hansen (D) .....	13,228
Smith (R) .....	10,650

STATE REPRESENTATIVE, 13th District, Position 1

Jones (D) .....	9,442
Chandler (R) .....	14,306

STATE REPRESENTATIVE, 13th District, Position 2

Bennett (D) .....	10,985
Hochstatter (R) .....	12,925

STATE SENATOR, 15th District

Baughner (D) .....	7,260
Newhouse (R) .....	9,808

STATE REPRESENTATIVE, 15th District, Position 1

Rayburn (D) .....	12,843
Roybal (R) .....	4,178

STATE REPRESENTATIVE, 15th District, Position 2

Finch (D) .....	7,454
Lisk (R) .....	9,545

STATE REPRESENTATIVE, 16th District, Position 1

Petersen (D) .....	9,563
Neher (R) .....	12,629

STATE REPRESENTATIVE, 16th District, Position 2	
Grant (D) .....	15,551
Mildon (R) .....	6,942

STATE REPRESENTATIVE, 17th District, Position 1	
Peery (D) .....	16,550
Quinn (R) .....	9,808

STATE REPRESENTATIVE, 17th District, Position 2	
Myers (D) .....	20,934

STATE REPRESENTATIVE, 18th District, Position 1	
Morris (D) .....	21,253

STATE REPRESENTATIVE, 18th District, Position 2	
Cooper (D) .....	14,871
Smith (R) .....	13,561

STATE SENATOR, 19th District	
Snyder (D) .....	18,141
Feasey (R) .....	6,808

STATE REPRESENTATIVE, District 19A	
Riley (D) .....	6,820
Weber (R) .....	6,014

STATE REPRESENTATIVE, District 19B	
Basich (D) .....	9,728
Adams (R) .....	2,665

STATE REPRESENTATIVE, 20th District, Position 1	
Valz (D) .....	10,857
Bowman (R) .....	21,007

STATE REPRESENTATIVE, 20th District, Position 2	
King (D) .....	9,521
Brumsickle (R) .....	21,745

STATE REPRESENTATIVE, 24th District, Position 1	
Jones (D) .....	16,174
Goos (R) .....	16,169

STATE REPRESENTATIVE, 24th District, Position 2	
Hargrove (D) .....	20,452

STATE SENATOR, 26th District	
Smitherman (D) .....	15,136
Oke (R) .....	17,230

## STATE REPRESENTATIVE, 26th District, Position 1

Meyers (D) .....	18,405
Duke (R) .....	12,008

## STATE REPRESENTATIVE, 26th District, Position 2

Pruitt (D) .....	22,306
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## STATE SENATOR, 30th District

Moe (D) .....	13,798
von Reichbauer (R) .....	14,551

## STATE REPRESENTATIVE, 30th District, Position 1

Myrick (D) .....	13,590
Mitchell (R) .....	14,029

## STATE REPRESENTATIVE, 30th District, Position 2

Rose (D) .....	10,631
Brough (R) .....	16,813

## STATE SENATOR, 31st District, Position 2

Todd (D) .....	12,256
Roach (R) .....	12,601

## STATE REPRESENTATIVE, 31st District, Position 1

Roland (D) .....	12,968
Thomas (R) .....	11,210

## STATE REPRESENTATIVE, 31st District, Position 2

Crane (D) .....	11,705
Vance (R) .....	12,728

## STATE SENATOR, 35th District

Owen (D) .....	16,749
Wood (R) .....	10,467

## STATE REPRESENTATIVE, 35th District, Position 1

Vekich (D) .....	12,221
Johnson (R) .....	15,274

## STATE REPRESENTATIVE, 35th District, Position 2

Sheldon (D) .....	18,037
Fox (R) .....	8,878

## STATE REPRESENTATIVE, 40th District, Position 1

Spanel (D) .....	20,778
Kribs (R) .....	14,679

STATE REPRESENTATIVE, 40th District, Position 2

Johnson (D) .....	20,198
Youngsman (R) .....	15,163

STATE SENATOR, 44th District

Bender (D) .....	13,287
Erwin (R) .....	17,519

STATE REPRESENTATIVE, 44th District, Position 1

Cantwell (D) .....	18,745
Meyerson (R) .....	11,917

STATE REPRESENTATIVE, 44th District, Position 2

King (D) .....	13,521
Paris (R) .....	16,932

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the State of Washington at Olympia, this fourth day of December, 1990.

(Seal)

Ralph Munro, Secretary of State.

January 14, 1991

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4400,  
HOUSE CONCURRENT RESOLUTION NO. 4401,

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 4400,  
HOUSE CONCURRENT RESOLUTION NO. 4401.

MOTION

On motion of Mr. Ebersole, the House recessed until 4:30 p.m.

The Speaker called the House to order at 4:30 p.m.

JOINT SESSION

The Sergeant at Arms announced the arrival of the Senate at the bar of the House.

The Speaker instructed the Sergeants at Arms of the House and Senate to escort the President of the Senate, Lieutenant Governor Joel Pritchard, President

Pro Tempore Ellen Craswell, Vice President Pro Tempore Alan Bluechel, Majority Leader Jeannette Hayner and Democratic Leader Marc Gaspard to seats on the rostrum.

The Speaker invited the Senators to seats within the House Chamber.

The Speaker presented the gavel to President Pritchard.

#### REMARKS BY THE SPEAKER

The Speaker: It is my pleasure at this time to turn over the gavel and this Joint Session of the Legislature over to Lieutenant Governor Pritchard.

The Secretary of the Senate called the roll of the Senate and all members were present.

The Clerk of the House called the roll of the House and all members were present.

#### APPOINTMENT OF SPECIAL COMMITTEES

The President of the Senate appointed Senators Oke and A. Smith and Representatives Hine and Tate as a special committee to advise His Excellency, Governor Booth Gardner, that the Joint Session had assembled and to escort him from his chambers to the House Rostrum.

The President of the Senate appointed Senators Erwin, Roach, L. Kreidler and Pelz and Representatives Wang, Brekke and Paris as a special committee to escort the Supreme Court Justices from the State Reception Room to seats within the House Chamber.

The President of the Senate appointed Senators Skratek, Snyder and West and Representatives Hargrove, Rust, Brumsickle and Forner as a special committee to escort the State Elected Officials from the State Reception Room to seats within the House Chamber.

The President of the Senate introduced the Supreme Court Justices and the State Elected Officials.

The President of the Senate presented Speaker King.

#### REMARKS BY SPEAKER KING

The Speaker: Thank you, Lieutenant Governor. It is a great honor for me today to introduce the Governor. I certainly wish the honor had come at a happier time. On the other hand, it is at times like this that people feel the greatest need for state and national leadership, a need for leadership that comes from moral character as well as intellectual ability. I think we can all be grateful

that, at this critical moment in history, we could not have a more decent, caring, honorable or trusted state executive than Governor Booth Gardner or a more gracious or personally dedicated First Lady than Jean Gardner.

The hardest thing about praising Governor Gardner and his accomplishments is knowing exactly where to begin. Some people would focus on his Chairmanship of the National Governors' Association, because that shows how much his peers respect him. Others would highlight his Chairmanship of the Education Commission of the States, because that shows he is a national leader on the issue that will ultimately make or break our children's future. Still others would emphasize the Governor's commitment to equity and fairness, because he has made Washington a national leader in reaching out to women and minorities and in giving them access to the highest reaches of state government. A great many people regard Governor Gardner's trade and economic development successes as his finest accomplishments. The Governor would be the last to claim personal credit for the remarkable progress of our state economy. But, fair is fair, and we know who would have gotten the blame had things progressed in the wrong direction.

To my mind, Governor Gardner's greatest accomplishment is the love and respect felt for him by the overwhelming majority of the people of the State of Washington. I think Governor Gardner's extraordinary popularity is a tribute both to him and to our state, because it shows that the people of Washington know both decency and integrity when they see it. It shows that the people of Washington know compassion and humanity when they see it. In a word, people see that Booth Gardner has that rare combination of qualities that Dr. Martin Luther King, Jr. called "a tough mind and a tender heart." That's just exactly the combination we need in difficult times such as these.

Please join me in welcoming, and expressing our appreciation for, a world class Governor and a first class man, Governor Booth Gardner.

STATE OF THE STATE ADDRESS  
BY GOVERNOR BOOTH GARDNER

Governor Gardner: Thank you, Mr. Speaker, for that kind introduction. Mr. President, Mr. Chief Justice, distinguished Justices of the Supreme Court, members of the Legislature, honored elected officials and citizens of the State of Washington:

This morning around nine o'clock, along with Lieutenant Governor Pritchard and Speaker King, I had the opportunity to share with the Supreme Court the taking of their oath of office and the swearing in of their Chief Justice Dore. That's tradition--it's been done for some time around here. Around one o'clock this afternoon eight members of the Legislature came to my office and announced that the Legislature was organized and ready to do business. That's tradition. We're here tonight for the State of the State Address--also tradition.

Tradition is a powerful force. I know that it would lead you to believe that I will take the next thirty minutes to brag about the achievements of my administration and to sell you on my legislative agenda for the upcoming session. But even the powerful force of tradition could not persuade me to do that today, because to do so, to follow tradition, would imply that these are normal times

and that we should continue to do business as usual. That is not the message that I wish to leave with you today.

These are not normal times. Every one of us is holding our breath, praying for peace and worrying about the thousands of Washington women and men who are in Saudi Arabia. But no matter how much we worry about events so far from home, we have to stay focused on keeping the home fires burning. What worries me is that the home fire of democracy has burned too low.

In our last election only thirty-nine percent of the eligible citizens of this state voted--the lowest percentage in our history. And that sad percentage wasn't just an aberration; it was part of an alarming trend of public disengagement from democracy itself. Democracy won't run on auto-pilot. Cynicism won't solve our problems. And people who believe that the world can get by without their help are suffering from a dangerous delusion.

It's not hard for any of us to understand why people are worried--about the war, about the economy, about the future of our environment, our schools and our children. But it is really hard to understand why so many of us in this country take for granted our freedom when we read every day about the fate of Kuwait and the heroic struggles of the nations in Eastern Europe that are trying to create democracy after decades of tyranny.

We must not let times such as these become normal. Our mission here in Olympia is to defend democracy with as much honor and courage as we demand from the young men and women we have sent overseas. That's why the coming legislative session will require something from each of us that is beyond tradition. This is a time for soul-searching--a time for reaching deeper into ourselves to find the values that bind us together and for acting in ways that rebuild the bonds of trust between us.

We are all in this together. We are all Americans, bound together by our belief in freedom and equality. We have our differences and disagreements. It's important that we talk openly and honestly about them. That has to be a part of how we govern ourselves. But the message that I want to leave with you tonight is a message about what we all have in common and how we must work together for our common future.

In this legislative session, the most obvious challenge is our ability to find and sustain unity and, in doing that, the task of balancing our budget and living within our means. Balance is the key word.

Let me say this specifically and directly to the one hundred forty-seven senators and representatives seated in front of me today. In the next one hundred and five days, we must agree on a budget that balances the needs of our schools, our colleges and universities, our environment and our social service system. The budget which I have submitted to you strikes such a balance. That's because I've already been through a process similar to the one which you're about to begin. I have read, studied, listened and agonized over how to be fair to everyone, how to preserve the gains we've made in the past few years, and how to keep our state both economically and socially healthy.

I am confident that, when you listen to the public, study the numbers and think through the challenges, you'll come to the same conclusions I have. You will conclude that we cannot ask state employees and teachers to subsidize programs by going without salary increases. And you will conclude that, while

we must cut expenditures to meet our commitments, we must do so carefully and in ways that make sense.

But what we do with the budget is no more important than how we do it. Balancing the budget and planning for our future are not just matters of numbers and dollars. These are matters that affect whether people perceive us as agents of democracy or buffoonery. If we use this budget as a weapon with which to attack each other or as a vehicle for partisan advantage, we will earn the public's contempt. If we miss our deadline for getting the job done, we will face the public's wrath. In a year when we are forced to cut spending, voters expect us to use every available dollar wisely--not to spend money on keeping the Legislature in special sessions.

When people compare our budget process to the federal budget process, we want them to talk about the contrasts, not the similarities. If we want to raise the public's esteem for politicians, we had better plan on finishing the public's business amicably and on time. We must act to restore public confidence in us and in the covenant between government and the people. We can do that only if we recognize the alienation so many citizens expressed during the federal budget debate and during the last election because that was an expression of longing for moral leadership. What we saw was the disaffection of people who hunger not for deals, but for a sense of national, democratic purpose. What they want from us is evidence that we listen and that we hear their message. And their message is plain and here it is:

"If you want us to believe in you and participate in governing, show us that it's worth our while. Give us some solid evidence that you really care about our lives, our children and our future. And more than that, show us that you understand that you are the stewards of our resources--our tax dollars, our economy and our beautiful natural environment."

As elected representatives, each of us is called not only to manage government, but to lead people. Whether we intend to or not, we lead by example. And so, my colleagues, let us make our example worthy of those we ask to follow us and vote for us.

Now I would like to speak to the citizens of this state. I want you to know why we're here in Olympia and why the work of state government should be important to you.

As Governor, my job requires me to see a lot of things that most of you do not see. Most of you have never seen nor held a crack baby in your arms. You have probably never toured a prison and felt the overwhelming weight of being surrounded by so many lost and empty lives. And most of you have never walked on a beach that has just been fouled by an oil spill. But you know in your bones that the challenges facing state government are more complicated and more critical than they have ever been before.

For all of us, economic competition is keener. The world is getting smaller as the population is getting larger. It's no longer enough to respond to crises; we have to think ahead and take action to prevent them. You send us here to Olympia to deal with the hardest problems our society faces--problems that are getting worse at the same time that the federal budget is necessarily being pared back and the federal contribution to solving our problems is shrinking.

Yet those of us who live in Washington state are the lucky ones. Our natural environment is the envy of other states. We live in the midst of a landscape of mountains, forests, farmlands and shorelines that inspire us with both awe and humility. With the exception of timber country, our state is in better shape economically than much of the rest of the country. We have our share of cynics and non-voters, but we have more than our share of citizens who are actively engaged in making democracy work. That's a strength that we can build on.

All citizens have a right to expect that their voices will be heard and that their actions will make a difference. That's why I wanted all of you to meet some of your fellow citizens who have made themselves heard and are making a difference. I will ask each of the individuals that I am introducing to stand when they hear their name.

First is Jim Coates from Aberdeen, Washington. Jim is a timber worker who now spends all his time helping his unemployed colleagues. He helps local food banks; he organizes community gardens; he gets together crews to cut firewood for people who need it; he makes sure that timber workers know what government resources are available to them. Here is an important local hero.

Second is Lane Premo. Lane is an executive with the Southland Corporation, who volunteers his time to work with the state's Efficiency Commission. His work and the work of the other volunteers who help with the Commission have resulted in savings of over one hundred and fifty million of our tax dollars. Thank you, Lane.

Third is Darlene Madenwald, the President of the Washington Environmental Council. She leads an organization of citizens that has had a powerful impact not only on the laws we pass here, but also on the way we think and feel about wetlands, wild animals, clean air and water, and a host of other issues. There's a saying that "environmentalists may be hell to live with, but they make great ancestors." Think about it. Thank you, Darlene.

Fourth is a group of students from the Moses Lake School District: Ronda Woinowsky, Sonya Garza, Laurie Vailancourt, Heather Mason, Kyla Delgado and Mary Mahaney. These are students who tutor other students, teach foreign language classes and help in the district's day-care program for latch-key kids. Now they may not be old enough to vote, but these students have learned an essential lesson--they know that their community needs them.

These are citizens who have hope for the future because they are actively involved in shaping it. These are citizens who help govern themselves and their communities. We should all--elected officials and citizens alike--find both inspiration and common sense in their examples. I wanted you to meet them and to look them in the eye because these are people who know what every American ought to know: that each of us--every one of us--makes a difference.

Every vote makes a difference. If you don't believe that ask Representative Evan Jones. But more than that, every person makes a difference when we recycle, when we take time to be with children and when we speak up in defense of what we believe.

Our most precious and abundant resource lies in the hearts of people like these. And those of us who serve the public here in --elected officials and our staffs alike--should take note that these are the people we represent, and we are therefore challenged to be as good as they are.

While I'm speaking to everyone, I also want to take a few moments and say a few words to all the reporters and the media executives in Washington state. Democracy depends on a continuing, open conversation between elected leaders and the citizens. In this age, you have become the intermediaries--the interpreters, if you will--in that conversation. This confers on you responsibilities to the citizens of this state no less serious than the responsibilities conferred on us. You are more than observers of the process; you are an essential part of it. Your work, your integrity, as much as ours, shapes citizens' sense of their own ability to participate in creating our common future.

Democracy is hard work. For all of us--elected officials, citizens, press--democracy is hard work. It is especially hard work in times such as these when we don't have enough money to meet all of our needs, in times when the national economy is faltering, and in times when we fear for the lives of our loved ones on a faraway desert.

These are times when we must draw on our deepest strengths. All of us--elected officials, citizens of every age and reporters alike--need to remember that, while politics and religion are necessarily separate, they are not unrelated. We are, after all, a part of a long chain of life. We are linked, every one of us to each other, and all of us to the land that has sustained the progress of our ancestors, both through human history and through evolution. And God is not finished with us yet.

Our future depends on our willingness to think of ourselves as the keepers and the creators of a civic and political culture that values every citizen, as the protectors of the land that nourishes us and as human beings whose life work is to learn to live together in peace.

Peace be with us. Thank you very much.

The President of the Senate instructed the special committee to escort Governor Gardner to his chambers.

The President of the Senate instructed the special committee to escort the State Elected Officials from the House Chamber.

The President of the Senate instructed the special committee to escort the Supreme Court Justices from the House Chamber.

#### MOTION

On motion of Mr. Ebersole, the Joint Session was dissolved.

The President of the Senate returned the gavel to the Speaker of the House of Representatives.

The Speaker instructed the Sergeants at Arms of the House and Senate to escort the President of the Senate, Lieutenant Governor Joel Pritchard, President Pro Tempore Ellen Craswell, Vice President Pro Tempore Alan Bluechel, Majority Leader Jeannette Hayner and Democratic Leader Marc Gaspard and members of the Washington State Senate from the House Chamber.

## MOTION

On motion of Mr. Ebersole, the House adjourned until 11:30 a.m., Tuesday, January 15, 1991.

ALAN THOMPSON, Chief Clerk

JOSEPH E. KING, Speaker

SECOND DAY

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MORNING SESSION  
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House Chamber, Olympia, Tuesday, January 15, 1991

The House was called to order at 11:30 a.m. by the Speaker (Mr. O'Brien presiding).

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

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

INTRODUCTIONS AND FIRST READING

HB 1018 by Representatives Brough, Peery, Holland, Jacobsen, R.King, Vance, Basich and Tate

AN ACT Relating to transition schools; and amending RCW 28A.185.040.

Referred to Committee on Education.

HB 1019 by Representatives Brough, Haugen, Mitchell and Ferguson

AN ACT Relating to aquifer protection areas; and amending RCW 36.36.010 and 36.36.040.

Referred to Committee on Local Government.

HB 1020 by Representatives Brough and Peery

AN ACT Relating to teachers' retirement; and amending RCW 41.32.010.

Referred to Committee on Appropriations.

HJM 4000 by Representatives Ebersole, Nelson, Belcher, Wineberry, Valle, Cole, Prentice, Rust, Wang, Phillips, Ogden, Franklin, O'Brien, Anderson, R. King, Fraser, H. Sommers, Riley, Spanel, Morris, Pruitt, Jones, Brekke and Leonard

Expressing concern about the Persian Gulf.

## MOTION

On motion of Mr. Dorn, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

## MOTION

On motion of Mr. Dorn, the House adjourned until 10:00 a.m., Wednesday, January 16, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

THIRD DAY

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MORNING SESSION

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House Chamber, Olympia, Wednesday, January 16, 1991

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Cole and Locke, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Alexandra Hogan and Mike Brewer. Prayer was offered by The Reverend Robert Samuelson, Minister of the Peace Lutheran Brethren Church of Olympia.

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

MESSAGE FROM THE SENATE

January 15, 1991

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4400,

HOUSE CONCURRENT RESOLUTION NO. 4401,

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

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

INTRODUCTIONS AND FIRST READING

HB 1021 by Representatives Valle, Horn, Rust, D. Sommers, Paris, Wineberry, Forner and Brekke

AN ACT Relating to recycling on state lands; adding new sections to chapter 43.51 RCW; adding new sections to chapter 53.08 RCW; and making an appropriation.

Referred to Committee on Environmental Affairs.

**HB 1022** by Representatives Cooper, May, Bray, Grant, H. Myers, Basich, Wineberry, R. Meyers, Peery, Phillips, R. Johnson, Wang, Sprenkle, Spanel, Sheldon, Miller, Ogden, Rayburn, Jones, Ludwig, Prentice, Kremen, Leonard, Rust, Braddock, R. King, Nelson, Pruitt, Cantwell, G. Fisher, Jacobsen, R. Fisher, Valle, Roland, Hine, Winsley, Rasmussen and Brekke; by request of Governor Gardner

AN ACT Relating to state energy policy; amending RCW 39.35.030; adding new sections to chapter 43.21F RCW; adding a new chapter to Title 39 RCW; adding new sections to chapter 39.35 RCW; creating a new section; and repealing 1982 c 159 s 6 (uncodified).

Referred to Committee on Energy & Utilities.

**HB 1023** by Representatives Peery, Brough, G. Fisher, Heavey, Basich, Wineberry, H. Myers, Phillips, R. Johnson, Sprenkle, Spanel, Sheldon, Wood, Ogden, Rayburn, Jones, Prentice, Kremen, Leonard, Inslee, Bray, Dorn, Cantwell, Jacobsen, Valle, Roland, Hine, Winsley, Rasmussen and Brekke; by request of Governor Gardner

AN ACT Relating to student educational performance; amending RCW 28A.215.100, 28A.150.210, 28A.150.220, 28A.150.230, 28A.150.240, 28A.195.010, 28A.150.290, 28A.230.090, and 28A.150.260; adding a new section to chapter 28A.230 RCW; creating new sections; repealing RCW 28A.230.240, 28A.230.010, 28A.230.020, 28A.230.030, 28A.230.040, 28A.230.050, 28A.230.060, 28A.230.100, 28A.230.110, 28A.230.130, 28A.230.190, 28A.230.200, 28A.230.210, 28A.230.220, 28A.230.230, 28A.230.250, 28A.230.260, and 28A.165.070; and providing an effective date.

Referred to Committee on Education.

**HB 1024** by Representatives Zellinsky, Broback, Dellwo, Haugen, Kremen, Day, Wineberry, Mielke, Orr, Inslee, Ebersole, R. Meyers, Paris, Schmidt, May, Edmondson, Van Luven, Sheldon, Pruitt, Winsley, Forner and Anderson

AN ACT Relating to law enforcement and fire fighters; and amending RCW 46.52.130.

Referred to Committee on Financial Institutions & Insurance.

**HB 1025** by Representatives Cantwell, Betrozoff, Roland, Heavey, R. Meyers, Dorn, Holland, Paris, Wineberry, Wilson, May, Phillips, Wang, Sprenkle, Horn, Van Luven, Spanel, Wood, Prentice, Leonard, Haugen, Rust, Fraser, Nelson, Pruitt, G. Fisher, Jacobsen, R. Fisher, Valle, Hine, Winsley, Rasmussen, Scott, Forner, Brekke and Anderson; by request of Governor Gardner

AN ACT Relating to growth strategies; amending RCW 36.70A.010, 36.70A.030, 36.70A.020, 36.70A.040, 36.70A.070, 36.70A.080, 36.70A.170, 36.70A.060, 36.70A.110, 82.02.050, 19.27.095, 58.17.033, 36.70A.050, 36.70A.190, 43.88.110, 82.44.150, 66.08.190, and 36.93.180; adding a new section to chapter 35.02 RCW; adding a new section to chapter 36.93 RCW; adding a new section to chapter 43.99 RCW; adding a new section to chapter 43.63A RCW; adding new sections to chapter 36.70A RCW; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.14 RCW.

Referred to Committee on Appropriations.

HB 1026 by Representatives Wang, Holland, Fraser, Heavey, R. Meyers, Dorn, Anderson, Wineberry, Sprenkle, Jones, Prentice, Kremen, Leonard, Pruitt, Cantwell, G. Fisher, Valle, Winsley, Rasmussen, Scott; by request of Governor Gardner

AN ACT Relating to valuation for property tax purposes; amending RCW 84.36.381 and 84.36.383; adding new sections to chapter 84.36 RCW; creating a new section; providing an effective date; providing a contingent effective date; and declaring an emergency.

Referred to Committee on Revenue.

HB 1027 by Representatives Rust, Horn, Phillips, Heavey, Anderson, Basich, Vance, Wineberry, Wilson, R. Johnson, Wang, Sprenkle, Spanel, Miller, Ogden, Jones, Prentice, Leonard, Inslee, Fraser, R. King, Nelson, Pruitt, G. Fisher, Jacobsen, R. Fisher, Valle, Roland, Hine, Winsley, Rasmussen, Appelwick and Brekke; by request of Governor Gardner

AN ACT Relating to oil and hazardous substances; amending RCW 90.48.315, 90.48.370, 90.48.365, 90.48.380, 90.48.378, 90.48.371, 90.48.373, 90.48.375, 90.48.376, 90.48.377, 90.48.320, 90.48.350, 90.48.325, 90.48.336, 90.48.338, 90.48.383, 90.48.340, 90.48.343, 90.48.366, 90.48.376, 90.48.368, 90.48.369, 90.48.385, 90.48.510, 88.16.170, 88.16.180, 88.16.190, 88.16.200, 88.40.005, 88.40.020, 88.40.030, 88.40.040, 88.40.050, 90.48.400, 88.44.010, 88.44.020, 88.44.030, 88.44.040, 88.44.080, 88.44.110, 88.44.160, 88.16.010, 88.16.050, 88.16.070, 88.16.110, 88.16.155, 90.48.037, 90.48.095, 90.48.100, 90.48.142, 90.48.156, 90.48.240, and 90.48.907; amending 1990 c 116 s 1 (uncodified); reenacting and amending RCW 90.48.390 and 88.16.090; adding a new chapter to Title 90 RCW; adding new sections to chapter 43.131 RCW; creating new sections; recodifying sections 101, 103, 108, 109, 110, 201, 203, 204, 207, 401, 501, 705, 706, 707, 708, 709, and 1211 of this act, RCW 90.48.315, 90.48.370, 90.48.365, 90.48.380, 90.48.378, 90.48.387, 90.48.388, 90.48.371, 90.48.372, 90.48.373, 90.48.374, 90.48.375, 90.48.360, 90.48.376, 90.48.377, 90.48.320, 90.48.350, 90.48.325, 90.48.330, 90.48.335, 90.48.336, 90.48.338, 90.48.383, 90.48.340, 90.48.355, 90.48.343, 90.48.366, 90.48.367, 90.48.368, 90.48.369, 90.48.385, 90.48.510, 88.16.170, 88.16.180, 88.16.190, 88.16.195, 88.16.200, 88.40.005, 88.40.020, 88.40.030, 88.40.040, 88.40.050, 90.56.700, 90.56.705, 90.48.390,

90.48.400, and 90.48.907; repealing RCW 90.48.345, 90.48.381, 90.48.410, 88.40.010, 88.44.050, 88.44.060, 88.44.070, 88.44.090, 88.44.150, 88.44.170, 88.44.180, 88.44.200, 88.44.210, and 90.48.910; prescribing penalties; and declaring an emergency.

Referred to Committee on Environmental Affairs.

**HB 1028** by Representatives Pruitt, Horn, Rust, Heavey, Anderson, Wineberry, Phillips, Wang, Sprenkle, Jones, Prentice, Fraser, Nelson, G. Fisher, Jacobsen, R. Fisher, Valle, Roland, Hine and Brekke; by request of Governor Gardner

AN ACT Relating to reducing air contaminant emissions and improving air quality; amending RCW 70.94.011, 70.94.030, 70.120.010, 70.120.020, 70.120.070, 70.120.080, 70.120.120, 70.120.150, 70.120.170, 46.16.015, 70.94.152, 70.94.155, 70.94.181, 70.94.205, 70.94.211, 70.94.430, 70.94.431, 70.94.860, 70.94.875, 70.94.745, 70.94.660, 70.94.670, 70.94.690, 70.94.650, 70.94.654, 70.94.775, 70.94.780, 70.94.750, 70.94.457, 70.94.470, 70.94.473, 70.94.483, 70.94.041, 70.94.055, 70.94.092, 70.94.100, 70.94.130, 70.94.170, 70.94.231, 70.94.240, 70.94.331, 70.94.332, 70.94.385, 70.94.395, 70.94.405, 70.94.410, 70.94.420, and 70.146.080; reenacting and amending RCW 70.94.053; adding new sections to chapter 70.94 RCW; adding a new section to chapter 82.44 RCW; adding a new section to chapter 70.120 RCW; adding a new chapter to Title 82 RCW; adding a new chapter to Title 70 RCW; creating new sections; repealing RCW 70.120.110, 70.120.140, 70.120.900, 70.94.232, 70.94.656, 70.94.680, 70.94.740, 70.94.810, 70.94.815, 70.94.825, and 70.94.870; providing penalties; providing effective dates; and declaring an emergency.

Referred to Committee on Environmental Affairs/Revenue.

**HB 1029** by Representatives Wang, Holland, Fraser, Heavey, R. Meyers, Dorn, Anderson, Paris, Wineberry, Jones, Kremen, Pruitt, G. Fisher, Jacobsen, Winsley and Rasmussen; by request of Governor Gardner

Amending the Constitution to authorize property tax relief.

Referred to Committee on Rules.

**HB 1030** by Representatives Valle and Heavey

AN ACT Relating to posting of liquor license applications; and amending RCW 66.24.010.

Referred to Committee on Commerce & Labor.

**HB 1031** by Representatives Wood, Haugen, Ferguson, Nelson, Horn, Roland, Paris and Nealey

AN ACT Relating to water and sewer districts; amending RCW 43.09.240, 56.08.100, 56.08.140, 57.08.100, and 57.08.120; reenacting and amending RCW

57.08.010; adding a new section to chapter 57.08 RCW; adding a new section to chapter 56.16 RCW; and adding a new section to chapter 57.20 RCW.

Referred to Committee on Local Government.

**HB 1032** by Representatives Haugen, Ferguson, Cooper, Nealey and Chandler

AN ACT Relating to death investigations; amending RCW 43.103.030, 28B.20.426, and 43.79.445; adding a new section to chapter 68.50 RCW; and repealing RCW 68.50.030.

Referred to Committee on Local Government.

**HB 1033** by Representatives Jacobsen, Appelwick, Dellwo, Roland, Ferguson, Rust and Paris

AN ACT Relating to the release of lighter-than-air balloons; adding new sections to chapter 70.94 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environmental Affairs.

**HB 1034** by Representatives H. Sommers, Rasmussen, H. Myers, O'Brien, Jacobsen and Brekke; by request of Governor Gardner

AN ACT Relating to evidences of indebtedness; reenacting and amending RCW 39.42.060; and adding a new section to chapter 39.42 RCW.

Referred to Committee on Capital Facilities & Financing.

**HB 1035** by Representatives Morris, McLean, Basich, Vance and May; by request of Governor Gardner

AN ACT Relating to improvement of the state's human resource systems; amending RCW 41.06.030, 41.06.070, 41.06.080, 41.06.120, 41.06.130, 41.06.140, 41.06.150, 41.06.160, 41.06.163, 41.06.167, 41.06.169, 41.06.170, 41.06.280, 41.06.350, 41.06.400, 41.06.420, 41.06.430, 41.64.090, 43.03.028, 28B.16.090, 28B.16.100, and 28B.16.110; reenacting and amending RCW 41.06.020 and 28B.16.020; adding new sections to chapter 41.06 RCW; adding new sections to chapter 28B.16 RCW; decodifying RCW 41.06.230, 41.06.240, and 41.06.310; and providing an effective date.

Referred to Committee on State Government.

**HB 1036** by Representatives Valle, McLean, H. Sommers, Vance, Wineberry, Sheldon and Anderson; by request of Governor Gardner

AN ACT Relating to organization of the liquor control board; amending RCW 66.04.010, 66.08.012, 66.08.014, 66.08.020, 66.08.028, 66.08.030, 66.08.050, 66.08.070, 66.08.130, 66.08.140, 66.08.150, 66.08.170, 66.08.180, 66.08.220, 66.12.140, 66.16.010, 66.20.070, 66.20.080, 66.24.010, 66.44.010, 43.03.028,

43.17.010, and 43.17.020; reenacting and amending RCW 66.20.010 and 42.17.2401; adding a new section to chapter 66.08 RCW; repealing RCW 66.08.016; and providing an effective date.

Referred to Committee on State Government.

HB 1037 by Representatives Appelwick, Prince, Wineberry, Belcher, Heavey, R. Meyers, Dorn, H. Myers, Phillips, Wang, Miller, Ludwig, Prentice, Leonard, Locke, Riley, Fraser, R. King, Nelson, Pruitt, G. Fisher, Jacobsen, Anderson and Brekke; by request of Governor Gardner

AN ACT Relating to crimes motivated by bigotry or bias; amending RCW 9A.36.080; adding a new section to chapter 36.28A RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1038 by Representatives Kremen, McLean, Orr, Heavey, R. Meyers, Dorn, Holland, Mielke, Basich, Vance, Paris, Wineberry, Zellinsky, May, H. Myers, Peery, Phillips, Silver, R. Johnson, Sprenkle, Spanel, Sheldon, Wood, Miller, Ogden, Rayburn, Jones, Ludwig, O'Brien, Leonard, Haugen, Inslee, Franklin, Fraser, Braddock, R. King, Pruitt, Cantwell, G. Fisher, Jacobsen, Valle, Roland, Hine, Morris, Rasmussen and Brekke; by request of Governor Gardner

AN ACT Relating to the commission on efficiency and accountability; and amending 1987 c 480 s 6 (uncodified).

Referred to Committee on State Government.

HB 1039 by Representatives Ebersole, Forner, Dorn, R. Meyers, Basich, Wineberry, Zellinsky, H. Myers, Peery, Wang, Sprenkle, Rayburn, Ludwig, Haugen, Rust, Pruitt, Jacobsen, Valle, Morris and Rasmussen; by request of Governor Gardner

AN ACT Relating to work force training and education; amending RCW 28B.50.010, 28B.50.020, 28B.50.030, 28B.50.040, 28B.50.050, 28B.50.055, 28B.50.060, 28B.50.085, 28B.50.090, 28B.50.092, 28B.50.093, 28B.50.095, 28B.50.100, 28B.50.130, 28B.50.140, 28B.50.142, 28B.50.143, 28B.50.145, 28B.50.150, 28B.50.205, 28B.50.242, 28B.50.250, 28B.50.320, 28B.50.330, 28B.50.340, 28B.50.350, 28B.50.360, 28B.50.370, 28B.50.402, 28B.50.404, 28B.50.405, 28B.50.409, 28B.50.520, 28B.50.535, 28B.50.551, 28B.50.600, 28B.50.740, 28B.50.835, 28B.50.837, 28B.50.839, 28B.50.841, 28B.50.843, 28B.50.850, 28B.50.851, 28B.50.867, 28B.50.869, 28B.50.870, 28B.50.873, 28B.50.875, 15.76.120, 28A.305.270, 28C.04.015, 28C.04.024, 28C.10.020, 28B.10.016, and 43.19.190; adding a new section to chapter 28B.15 RCW; adding a new section to chapter 41.06 RCW; adding a new section to chapter 41.05 RCW; adding a new section to chapter 41.04 RCW; adding a new section to chapter 28B.16 RCW; adding a new section to chapter 41.40 RCW; adding a new section

to chapter 28B.52 RCW; adding a new section to chapter 43.01 RCW; adding a new section to chapter 41.56 RCW; adding new sections to chapter 28B.50 RCW; adding a new chapter to Title 28A RCW; adding new chapters to Title 28C RCW; adding a new chapter to Title 50 RCW; creating new sections; repealing RCW 28B.50.055, 28C.15.010, 28C.15.020, 28C.15.030, and 28C.15.900; decodifying RCW 28B.50.300; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

HJM 4000 by Representatives Ebersole, Nelson, Belcher, Wineberry, Valle, Cole, Prentice, Rust, Wang, Phillips, Ogden, Franklin, O'Brien, Anderson, R. King, Fraser, H. Sommers, Riley, Spanel, Morris, Pruitt, Jones, Brekke and Leonard

Expressing concern about the Persian Gulf.

Held on First Reading from 1/15/91.

#### MOTION

On motion of Mr. Ebersole, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

#### POINTS OF PERSONAL PRIVILEGE

Mr. Ballard: Mr. Speaker, ladies and gentlemen of the House: Yesterday we saw a dramatic demonstration of citizens exercising their right to express their views, to make their opinions known to their elected officials and their fellow citizens. All of us respect these rights.

We are blessed to live in a nation and a society in which freedom of expression is guaranteed and protected. On behalf of my colleagues in our caucus, I want to reaffirm that we support those citizens who put their freedom to work by peacefully and lawfully expressing their views on an issue that each and every one of us cares about deeply and personally.

But we would be remiss if we did not also clearly state concerns that are shared by the people we represent. Many of us had personal contact with people participating in yesterday's demonstration at the Capitol. We appreciate the way in which most of these people conducted themselves. Sadly, when some in the crowd stepped over the line, they violated the rights of their fellow citizens. And we cannot in good conscience stand by and allow the rights of all our citizens to be lost to the excesses of a few. When protestors broke through the doors, threatening people's safety--one of whom was injured and one hospitalized--in the process, they went too far. When honest expression and peaceful protest turned to vandalism and destruction of personal and public property, those individuals went too far.

We must let the people of Washington know that, while we respect and encourage freedom of expression, we are going to stand up to actions that infringe upon the rights of all. Our duty is to all Washingtonians.

Thank you.

Mr. Ebersole: Thank you, Mr. Speaker. I once again appreciate the tone and the judicious way in which the good gentlemen and my friend from the 12th District has brought this matter to the floor of the House.

These are difficult and trying times for all of us. I think that it is important that we maintain and call upon our best judgment, good humor, respect and trust for one another to get through these difficult times for our state and for our nation. Dissent and protest is welcome in a democracy. It's not always tidy; it's not always orderly. I think we would all wish that those, who protest or dissent or demonstrate on any issue, would know how to do so properly and in the right fashion. That's probably too much to expect. I, personally, was in some ways encouraged by what I saw yesterday--that people in this nation still care enough to let their feelings be known. I was also discouraged and disheartened when I saw that a few did not conduct themselves in a way befitting in a democracy. It was with mixed emotions that we viewed the events of yesterday. Martin Luther King's birthday was the fifteenth--I think he would be generally encouraged by the way the majority of the young people of our area responded.

So let us all maintain that, over the next few days and weeks, we will accord to each other respect, trust and good communication. I was very encouraged by the Executive Rules Committee this morning in which the leadership of both parties met and decided on a course of action which, I thought, was appropriate. It was said that no citizen, regardless of their opinion--be it a pro-choice or pro-life demonstration, a pro- or anti-administration policy on the Gulf crisis demonstration--can by their own accord stop the business of the state or this body. I think we made the right decision to go ahead in the affairs of government.

Hopefully, we will be able to turn our attention to the pressing issues of the state that we can do something about in the next few days. I think it also appropriate that we, like the rest of the nation at this time, focus on events in a distant place. Once again, we pledge to the minority party that we will continue to work, have good communication, and hopefully get through this and be proud of our actions as we deliberate as state representatives.

#### SPEAKER'S PRIVILEGE

The Speaker: I would like take this opportunity to thank both sides of the aisle for their judicious advice. Thanks to both the majority and minority parties.

MOTION

On motion of Mr. Ebersole, the House adjourned until 11:30 a.m., Thursday, January 17, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

## FOURTH DAY

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MORNING SESSION  
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House Chamber, Olympia, Thursday, January 17, 1991

The House was called to order at 11:30 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Appelwick and Cooper, who were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Amy Douglas and Kara Olson.

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

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

## INTRODUCTIONS AND FIRST READING

HB 1040 by Representatives Rayburn, Lisk, Haugen and Bray

AN ACT Relating to administration costs for municipal utilities; adding a new section to chapter 35.33 RCW; adding a new section to chapter 35.34 RCW; adding a new section to chapter 35A.33 RCW; and adding a new section to chapter 35A.34 RCW.

Referred to Committee on Local Government.

HB 1041 by Representatives Anderson, McLean, Cantwell, Ferguson, Broback, Tate, Basich, May, Miller, Vance and Mitchell; by request of Secretary of State

AN ACT Relating to facsimile filing of election documents; and adding new sections to chapter 29.04 RCW.

Referred to Committee on State Government.

HB 1042 by Representatives Fraser, Anderson, Belcher, Basich, Dellwo and Kremen

AN ACT Relating to state employee automobile liability insurance; and adding a new section to chapter 43.03 RCW.

Referred to Committees on State Government/Appropriations.

HB 1043 by Representatives Fraser, Belcher and Sheldon

AN ACT Relating to industrial insurance compensation for temporary total disability of state employees; and amending RCW 51.32.090.

Referred to Committee on Commerce & Labor.

HB 1044 by Representatives Fraser, Anderson, Basich, R. Meyers, Kremen, Pruitt and Winsley

AN ACT Relating to shared leave; and amending RCW 41.04.665.

Referred to Committee on State Government.

HB 1045 by Representatives Fraser, Belcher, Basich, R. Meyers and Winsley

AN ACT Relating to the state employees' benefits board; and amending RCW 41.05.055.

Referred to Committee on State Government.

HB 1046 by Representatives Anderson, Belcher, Fraser and Kremen

AN ACT Relating to state employees; amending RCW 43.01.040; and repealing RCW 43.01.044.

Referred to Committee on State Government.

HB 1047 by Representatives Anderson and Jones

AN ACT Relating to state civil and higher education employees; adding a new section to chapter 28B.16 RCW; and adding a new section to chapter 41.06 RCW.

Referred to Committee on State Government.

HB 1048 by Representatives H. Sommers, Jacobsen, Belcher and Prince

AN ACT Relating to public works projects; and amending RCW 28B.10.350.

Referred to Committee on Capital Facilities & Financing.

HB 1049 by Representatives Cole, Fuhrman, Heavey, Holland, Vance and Winsley; by request of Liquor Control Board

AN ACT Relating to seized liquor; and amending RCW 66.32.040.

Referred to Committee on Commerce & Labor.

**HB 1050** by Representatives Morris, Cooper, Wynne, Peery, Ogden, Wang, Nealey and H. Myers

AN ACT Relating to emergency medical services districts excess levies; and amending RCW 84.52.052.

Referred to Committee on Local Government.

**HB 1051** by Representatives Fraser, Forner, Prince, Jacobsen, Van Luven, Peery, Brough, Miller, Cantwell, Basich, Valle, Ogden, Dellwo, Wood, Ludwig, Sheldon, Morris, Tate, Ferguson, Silver, May, Ballard, Bowman, Haugen, Brumsickle, Jones, Broback, R. King, Mitchell, McLean and Winsley

AN ACT Relating to international student exchange programs; amending RCW 74.15.020; adding a new chapter to Title 28A RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Higher Education.

**HB 1052** by Representatives Leonard, Winsley, Riley and Basich; by request of Dept. of Social and Health Services

AN ACT Relating to clarification of existing public assistance statutes; amending RCW 74.04.005, 74.04.055, 74.04.060, 74.04.500, and 74.04.515; adding a new chapter to Title 74 RCW; and repealing RCW 74.04.390, 74.04.400, 74.04.410, 74.04.420, 74.04.430, 74.04.440, 74.04.450, 74.04.460, 74.04.470, 74.04.473, 74.04.505, 74.22.010, 74.22.020, 74.22.030, 74.22.040, 74.22.050, 74.22.060, 74.22.070, 74.22.080, 74.22.090, 74.22.100, 74.22.110, 74.22.120, 74.23.005, 74.23.010, 74.23.020, 74.23.030, 74.23.040, 74.23.050, 74.23.060, 74.23.070, 74.23.080, 74.23.090, 74.23.100, 74.23.110, 74.23.120, and 74.23.900.

Referred to Committee on Human Services.

**HB 1053** by Representatives Leonard, Winsley, Riley and Basich; by request of Dept. of Social and Health Services

AN ACT Relating to foster family home licenses; and amending RCW 74.15.110.

Referred to Committee on Human Services.

**HB 1054** by Representatives Leonard, Winsley, Riley, Orr, R. King and Sheldon; by request of Dept. of Social and Health Services

AN ACT Relating to reports of abuse of children or adult dependent or developmentally disabled persons; amending RCW 26.44.030; and repealing RCW 26.44.070.

Referred to Committee on Human Services.

HB 1055 by Representatives Appelwick, Ludwig, Fraser, Schmidt, Grant, Holland, Bray, R. Meyers, Miller and Orr; by request of Department of Corrections

AN ACT Relating to method of execution; and amending RCW 10.95.180.

Referred to Committee on Judiciary.

HB 1056 by Representatives R. Fisher, Betzoff, Zellinsky, Ferguson, Bray, Basich, R. Meyers, Kremen, R. King, McLean and Heavey; by request of Washington State Patrol

AN ACT Relating to tuition waivers for state employees at state institutions of higher education; and amending RCW 28B.15.558.

Referred to Committee on Higher Education.

HB 1057 by Representatives Anderson, McLean, R. Fisher, Ferguson and Miller; by request of Washington State Patrol

AN ACT Relating to security and protection of the lieutenant governor; and amending RCW 43.43.035.

Referred to Committee on State Government.

HB 1058 by Representatives Wang, Holland and Fraser; by request of State Treasurer and Office of Financial Management

AN ACT Relating to treasurer-managed funds and accounts; amending RCW 70.39.170, 18.08.240, 43.79.330, 43.51.280, 40.14.025, 43.51.310, 43.140.030, 28B.14D.040, 46.10.075, 72.72.030, 82.29A.080, 67.40.040, 28B.10.821, 43.88.525, 58.24.060, 82.14.200, 82.14.210, 18.72.390, 43.70.320, 18.04.105, 43.79.445, 47.76.030, 43.51.200, 86.26.007, 43.08.250, 84.33.041, 43.31A.400, 70.94.656, 18.43.150, 75.52.140, 51.44.170, 82.14.310, 82.14.320, 43.33A.160, 43.83B.360, 82.14.050, 79.24.060, 43.19.610, 27.34.090, 82.42.090, 47.68.236, 79.64.055, 43.79.201, 70.93.180, 46.08.172, 43.99.040, 43.83A.030, 43.99F.030, 28B.10.851, 43.83.020, 28B.30.730, 28B.57.050, 43.99.060, 43.83B.030, 43.83C.030, 43.83D.030, 43.83H.030, 43.84.092, 77.12.323, 28A.515.320, 28A.550.010, 50.16.010, 43.200.080, 70.164.030, 79.90.555, 70.94.483, 47.78.010, 22.09.411, 70.47.030, 70.105D.070, 2.14.070, 70.170.080, 90.76.100, 70.95.800, 59.21.050, 70.95E.080, 28B.30.740, 28B.30.741, 28B.30.742, 28B.20.810, 28B.14C.060, 43.79A.020, 43.79A.040, 43.08.190, 28C.10.082, 43.250.030, 43.185.030, 28B.10.882, 59.22.030, 70.148.020, 4.92.220, 4.92.130, 41.40.080, 43.84.051, 43.79.130, 28B.35.751, 43.79.110, 28B.20.800, 28B.10.868, 43.85.130, 41.05.120, 90.50A.020, 2.14.080, 46.68.210, 81.100.070, 28B.20.468, 28B.108.050, 28B.50.837, 41.26.070, 28B.108.060, 41.48.065, 41.48.060, 28A.520.020, 2.10.080, and 43.160.080; reenacting and amending RCW 74.18.230, 76.04.630, 28B.50.360, 28B.35.370, 70.146.030, 90.48.390, 41.24.030, 41.04.260, and 74.18.230; creating new sections; adding a new section to chapter 43.63A RCW; repealing RCW 43.84.090, 43.185.040, 46.09.290, 70.48.120, 43.31.958, 43.99C.040, 27.60.060,

28B.31.040, 75.48.030, 28B.56.030, 43.831.166, 36.22.180, and 43.79.415; providing an effective date; and declaring an emergency.

Referred to Committee on Revenue.

HB 1059 by Representatives Appelwick, Padden, Ludwig and Orr

AN ACT Relating to personal property exempt from enforcement of judgments; and amending RCW 6.15.010.

Referred to Committee on Judiciary.

HB 1060 by Representatives Ludwig, Padden, R. Meyers, Orr, Winsley and Sheldon

AN ACT Relating to notice to the creditors of a deceased person; amending RCW 11.40.010; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1061 by Representatives Ludwig, Padden, R. Meyers, Ferguson, Miller, Orr, Kremen, Winsley and Sheldon

AN ACT Relating to deductibility of funeral expenses and costs of administration; and adding a new section to chapter 11.76 RCW.

Referred to Committee on Judiciary.

HB 1062 by Representatives Ludwig, Padden, R. Meyers and Orr

AN ACT Relating to power of fiduciaries to divide trusts; and amending RCW 11.108.025 and 11.98.080.

Referred to Committee on Judiciary.

HB 1063 by Representatives Ludwig, Padden, R. Meyers and Orr

AN ACT Relating to disposition of disclaimed interest; and amending RCW 11.86.041.

Referred to Committee on Judiciary.

HB 1064 by Representatives Appelwick, Padden, Ludwig, R. Meyers, Belcher, Paris, Miller and Orr

AN ACT Relating to the protection of recording rights; amending RCW 19.25.010, 19.25.020, 19.25.030, 19.25.040, 19.26.010, and 19.26.020; adding new sections to chapter 19.25 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1065 by Representatives Heavey, Hargrove, Jones, Ferguson, Basich and Kremen

AN ACT Relating to retirement system service credit for merchant marine service; and amending RCW 41.04.005, 41.40.170; 41.26.190, 41.32.260, and 43.43.130.

Referred to Committee on Appropriations.

HB 1066 by Representatives Prentice, Prince, Jacobsen, Dellwo, Bray, Miller, Ludwig and Kremen

AN ACT Relating to the Hispanic American endowed scholarship program; and adding a new chapter to Title 28B RCW.

Referred to Committees on Higher Education/Appropriations.

HB 1067 by Representatives May, Van Luven, Broback, Belcher, Heavey, Kremen, Haugen, O'Brien, Ogden, Brekke, Schmidt, Wood, Padden, Ferguson, Miller, Rust, Holland, Wynne, Horn, Moyer, Jones, Bray, Tate, Nelson, Basich, Brough, Rayburn, Former, Mitchell, Winsley, McLean and Sheldon

AN ACT Relating to an exemption from retail sales tax and business and occupation tax for meals served no more frequently than once a week by a nonprofit organization for fundraising purposes; amending RCW 82.04.365 and 82.08.0251; providing an effective date; and declaring an emergency.

Referred to Committee on Revenue.

HB 1068 by Representatives Brough, Peery, Vance, H. Sommers, Neher, Broback, Tate, May, Former, Mitchell, McLean and Winsley

AN ACT Relating to teacher certification; amending RCW 28A.405.210 and 28A.635.080; and adding a new section to chapter 28A.410 RCW.

Referred to Committee on Education

HJM 4000 by Representatives Ebersole, Nelson, Belcher, Wineberry, Valle, Cole, Prentice, Rust, Wang, Phillips, Ogden, Franklin, O'Brien, Anderson, R. King, Fraser, H. Sommers, Riley, Spanel, Morris, Pruitt, Jones, Brekke and Leonard

Expressing concern about the Persian Gulf.

Held on First Reading from 1/15/91.

HJR 4203 by Representatives Wang, Holland, Fraser, Jones, Pruitt, Orr, Ludwig, Kremen, R. King, Heavey and Anderson; by request of Governor Gardner

Amending the Constitution to authorize property tax relief.

Referred to Committee on Revenue.

#### MOTION

On motion of Mr. Ebersole, the bills and resolution listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

#### SPECIAL ORDER OF BUSINESS

##### SPEAKER'S PRIVILEGE

The Speaker: All members of the Legislature share a deep concern for the servicemen and women who are stationed in the Middle East. We pray for the success of their mission. We pray for their safety. We pray for their swift return to their families and friends.

I know I speak for everyone in this Chamber when I express our hope that no innocent people--on any side of the conflict--become victims of war. Inevitably, some people will die; some will be injured. But, as in all wars, our hope is that casualties will be held to a minimum. We are encouraged by early reports from the Middle East, and we hope that the mission of the United Nations forces will be completed quickly.

Yesterday was a very difficult day for many of us. No one who has lived through our recent wars--Vietnam, Korea, World War II--could escape the memory of times past. For most of us those are very troubling memories.

What's more, we will have many troubling thoughts and experiences in the days and weeks ahead, and we will experience events that may distract us from our jobs. But I believe it is important that the business of the Legislature--the business of the people of this state--continues. We cannot do "business as usual." These are extraordinary times, and we cannot pretend that they are anything but extraordinary. But as public officials, it is our job to continue the work we have been sent here to do. We will do our jobs with heavy hearts and with heartfelt concern for the people in the Middle East.

##### POINT OF PERSONAL PRIVILEGE

Ms. Miller: Thank you, Mr. Speaker. During such critical times as these, the daily routines of life seem trivial. I, like most of you, awoke this morning to the sound of war on my clock radio. I tried to prepare as I do each day for

the normal work of the day. Yet, as I prepared for the day, I knew there was something vastly different. The world is not the same today as it was yesterday. Our country is at war and that changes everything.

Somehow it doesn't seem just that our lives here should continue to go on, while our sons and daughters, our fathers and mothers, our brothers and sisters, and our friends are on the other side of the world in a vast desert in constant and immediate danger.

Of course, each of us also knows that our daily lives have to go on. It is important that everyone's job continue to be performed. But, as we move ahead, it is just as important that we continually remain aware of those men and women risking their lives. As we each light a candle we can reflect and focus on our hope for the safety of our loved ones and peace in the world.

We light a candle for those who worked and prayed for allowing the sanctions more time to work.

We light a candle for those who don't believe we should be involved in a war a world away.

We light a candle for those who believe that peace will come with swift and decisive action.

Regardless of our differences in opinion everyone believes that each and every one of the lives of our servicemen and women is vital and sacred. We are drawn together. That is the purpose of our ceremony this morning.

We light these candles in hope and prayer for the lives of our servicemen and women, and for the swift arrival of a thorough and lasting world peace that will bring us to a better world for ourselves and our families.

Prayer was offered by Representative Clyde Ballard:

Lord, I must confess to You this morning a feeling of inadequacy in knowing how to pray, in knowing what to say.

I do know we come to You with hearts that are very heavy and with emotions so deep they are hard to understand. We come to You from many backgrounds, and we come with a wide range of concerns and convictions. But, we come united with our concerns for the safety of the men and women who are defending us. We come with a deep concern for spouses, families and friends who agonize as they wait. We come with a concern for the staff and fellow members of this Legislature whose hearts are heavy.

Yet, in the midst of these concerns, I have sensed a drawing together of our spirits, a desire to reach out to each other without reservations and without any thoughts of our differences. It seems that everything that was such a big problem yesterday has disappeared as we pause to consider today's challenges.

Lord, as news was received, there settled over all of us a feeling of the deepest emotions. Some of us wept. Some were very silent. Some of us reached out to embrace each other to comfort. Some of us felt drawn to our families, our spouses, our children. We felt a need to hear their voices and to comfort each other. But I am strengthened and encouraged in the midst of this tragedy because of the melding together of all of us.

Father, we would be remiss if we did not remember the citizens of other countries directly involved. Many of these people have been in the midst of a

war for several months with the loss of family and the total destruction of their lives.

We also would be remiss if we did not remember those citizens who, through no fault of their own, are going to suffer the consequences of this conflict.

The final thoughts we'd like to bring to You, Lord, is that we apologize for our constant complaining about our problems, for constantly saying "woe is me" and for dwelling on our own personal problems.

We are deeply humbled for the freedom that You have allowed us to enjoy. May we treasure it as never before and may we take time daily to express our gratitude for that freedom.

May this conflict be brief and may the lives of the men and women, who are there for us, be protected.

And, Lord, one final thing. May this be a burning reminder that all of us have a responsibility to do everything possible to promote peace and understanding.

Thank You for all of Your love to us. In His Name, amen.

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

#### MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Friday, January 18, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**FIFTH DAY**-----  
**MORNING SESSION**  
-----

House Chamber, Olympia, Friday, January 18, 1991, 1991

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Forner, Horn, Moyer, Schmidt, Sheldon and Zellinsky. On motion of Ms. Bowman, Representatives Forner, Horn, Moyer and Schmidt were excused. On motion of Ms. Cole, Representatives Sheldon and Zellinsky were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages John Griffin and Tera Lubken. Prayer was offered by The Reverend Robert Samuelson, Minister of Peace Lutheran Church of Olympia.

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

**MESSAGE FROM THE SECRETARY OF STATE**

The Honorable Speaker of the House of Representatives  
Legislature of the State of Washington  
Olympia, Washington

Mr. Speaker:

We herewith respectfully transmit for your consideration a copy of Initiative to the Legislature Number 119, originally filed with this office on March 14, 1990. On January 2, 1991, the sponsor of the proposed initiative filed 12,103 signature petition sheets in support of the measure. We have completed our preliminary canvass of these petitions and have determined that they contain 218,317 signatures.

Accordingly, pursuant to the provisions of Article 2, section 1 of the State Constitution, we are provisionally certifying Initiative to the Legislature Number 119 to you at this time. We expect to complete verification of signatures no later than February 15, 1991 and we will provide the Legislature with a final certification as soon as possible thereafter.

IN WITNESS WHEREOF, I have set my hand and affixed the Seal of the State of Washington, this fourteenth day of January, 1991.

(Seal)

Ralph Munro, Secretary of State.

## INITIATIVE TO THE LEGISLATURE NUMBER 119

AN ACT Relating to the natural death act; and amending RCW 70.122.010, 70.122.020, 70.122.030, 70.122.040, 70.122.050, 70.122.060, 70.122.070, 70.122.080, 70.122.090, 70.122.100, and 70.122.900.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

Sec. 1. RCW 70.122.010 and 1979 c 112 s 2 are each amended to read as follows:

The ((legislature)) people find((s)) that adult persons have the fundamental right to control the decisions relating to the rendering of their own medical care, including the decision to have all life-sustaining procedures withheld or withdrawn in instances of a terminal condition, and including the right to death with dignity through voluntary aid-in-dying if suffering from a terminal condition.

The ((legislature)) people further find((s)) that modern medical technology has made possible the artificial prolongation of human life beyond natural limits.

The ((legislature)) people further find((s)) that, in the interest of protecting individual autonomy, such prolongation of life for persons with a terminal condition may cause loss of patient dignity, and unnecessary pain and suffering, while providing nothing medically necessary or beneficial to the patient.

The ((legislature)) people further find((s)) that there exists considerable uncertainty in the medical and legal professions as to the legality of terminating the use or application of life-sustaining procedures where the patient has voluntarily and in sound mind evidenced a desire that such procedures be withheld or withdrawn.

The people further find that existing law does not allow willing physicians to render aid-in-dying to qualified patients who request it.

In recognition of the dignity and privacy which patients have a right to expect, the ((legislature)) people hereby declare((s)) that the laws of the state of Washington shall recognize the right of an adult person to make a written directive instructing such person's physician to withhold or withdraw life-sustaining procedures in the event of a terminal condition, and/or to request and receive aid-in-dying under the provisions of this chapter.

Sec. 2. RCW 70.122.020 and 1979 c 112 s 3 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions contained in this section shall apply throughout this chapter.

(1) "Attending physician" means the physician selected by, or assigned to, the patient who has primary responsibility for the treatment and care of the patient.

(2) "Directive" means a written document voluntarily executed by the declarer in accordance with the requirements of RCW 70.122.030.

(3) "Health facility" means a hospital as defined in RCW ((70.38.020(7) or) 70.41.020(2), a nursing home as defined in RCW ((70.38.020(8))) 18.51.010, or a home health agency or hospice agency as defined in RCW 70.126.010.

(4) "Life-sustaining procedure" means any medical or surgical procedure or intervention which utilizes mechanical or other artificial means to sustain, restore, or supplant a vital function, which, when applied to a qualified patient, would

serve only to artificially prolong the moment of death (~~and where, in the judgment of the attending physician, death is imminent whether or not such procedures are utilized~~). "Life-sustaining procedure" includes, but is not limited to, cardiac resuscitation, respiratory support, and artificially administered nutrition and hydration, but shall not include the administration of medication to relieve pain or the performance of any medical procedure deemed necessary to alleviate pain.

(5) "Physician" means a person licensed under chapter((s)) 18.71 or 18.57 RCW.

(6) "Qualified patient" means a patient diagnosed and certified in writing to be afflicted with a terminal condition by two physicians one of whom shall be the attending physician, who have personally examined the patient.

(7) "Terminal condition" means an incurable (~~condition caused by injury, disease, or illness, which, regardless of the application of life-sustaining procedures, would, within reasonable medical judgment, produce death, and where the application of life-sustaining procedures serve only to postpone the moment of death of the patient~~) or irreversible condition which, in the written opinion of two physicians having examined the patient and exercising reasonable medical judgment, will result in death within six months, or a condition in which the patient has been determined in writing by two physicians as having no reasonable probability of recovery from an irreversible coma or persistent vegetative state.

(8) "Adult person" means a person attaining the age of majority as defined in RCW 26.28.010 and 26.28.015.

(9) "Aid-in-dying" means aid in the form of a medical service provided in person by a physician that will end the life of a conscious and mentally competent qualified patient in a dignified, painless and humane manner, when requested voluntarily by the patient through a written directive in accordance with this chapter at the time the medical service is to be provided.

Sec. 3. RCW 70.122.030 and 1979 c 112 s 4 are each amended to read as follows:

(1) Any adult person may execute at any time a directive directing the withholding or withdrawal of life-sustaining procedures and/or requesting the provision of aid-in-dying when in a terminal condition. The directive shall be signed by the declarer in the presence of two witnesses not related to the declarer by blood or marriage and who would not be entitled to any portion of the estate of the declarer upon declarer's decease under any will of the declarer or codicil thereto then existing or, at the time of the directive, by operation of law then existing. In addition, a witness to a directive shall not be the attending physician, an employee of the attending physician or a health facility in which the declarer is a patient, or any person who has a claim against any portion of the estate of the declarer upon declarer's decease at the time of the execution of the directive. The directive, or a copy thereof, shall be made part of the patient's medical records retained by the attending physician, a copy of which shall be forwarded to the health facility upon the withdrawal of life-sustaining procedures, and/or provision of aid-in-dying. No person shall be required to execute a directive in accordance with this chapter. Any person who has not executed such a directive is ineligible for aid-in-dying under any circumstances. The directive

shall be essentially in the following form, but in addition may include other specific directions:

DIRECTIVE TO PHYSICIANS

Directive made this .... day of ..... (month, year).

I ....., being of sound mind, willfully, and voluntarily make known my desire that my life shall not be artificially prolonged under the circumstances set forth below, and do hereby declare that:

(a) If at any time I should have an incurable injury, disease, or illness certified to be a terminal condition by two physicians, and where the application of life-sustaining procedures would serve only to artificially prolong the moment of my death (~~(and where my physician determines that my death is imminent whether or not life-sustaining procedures are utilized.)~~);

Declarant must initial one or both of the following:

..... I direct that such procedures be withheld or withdrawn, and that I be permitted to die naturally.

..... I direct that upon my request my physician provide aid-in-dying so that I might die in a dignified, painless and humane manner.

(b) In the absence of my ability to give directions regarding the use of such life-sustaining procedures, such as while in an irreversible coma or persistent vegetative state, it is my intention that this directive shall be honored by my family and physician(s) as the final expression of my legal right to refuse medical or surgical treatment and I accept the consequences (~~(from)~~) of such refusal.

(c) If I have been diagnosed as pregnant and that diagnosis is known to my physician, this directive shall have no force or effect during the course of my pregnancy.

(d) I understand the full import of this directive and I am emotionally and mentally competent to make this directive.

(e) I understand that I may add to or delete from or otherwise change the wording of this directive before I sign it, and that I may revoke this directive at any time.

Signed.....

City, County, and State of Residence

The declarer has been personally known to me and I believe him or her to be of sound mind.

Witness.....

Witness.....

(2) Prior to effectuating a directive the diagnosis of a terminal condition by two physicians shall be verified in writing, attached to the directive, and made a permanent part of the patient's medical records.

(3) Similar directives to physicians lawfully executed in other states shall be recognized within Washington state as having the same authority as in the state where executed.

Sec. 4. RCW 70.122.040 and 1979 c 112 s 5 are each amended to read as follows:

(1) A directive may be revoked at any time by the declarer, without regard to declarer's mental state or competency, by any of the following methods:

(a) By being canceled, defaced, obliterated, burned, torn, or otherwise destroyed by the declarer or by some person in declarer's presence and by declarer's direction.

(b) By a written revocation of the declarer expressing declarer's intent to revoke, signed, and dated by the declarer. Such revocation shall become effective only upon communication to the attending physician by the declarer or by a person acting on behalf of the declarer. The attending physician shall record in the patient's medical record the time and date when said physician received notification of the written revocation.

(c) By a verbal expression by the declarer of declarer's intent to revoke the directive. Such revocation shall become effective only upon communication to the attending physician by the declarer or by a person acting on behalf of the declarer. The attending physician shall record in the patient's medical record the time, date, and place of the revocation and the time, date, and place, if different, of when said physician received notification of the revocation.

(2) There shall be no criminal ~~((or))~~ civil, or administrative liability on the part of any person for failure to act upon a revocation made pursuant to this section unless that person has actual or constructive knowledge of the revocation.

(3) If the declarer becomes comatose or is rendered incapable of communicating with the attending physician, the directive shall remain in effect for the duration of the comatose condition or until such time as the declarer's condition renders declarer able to communicate with the attending physician.

Sec. 5. RCW 70.122.050 and 1979 c 112 s 6 are each amended to read as follows:

No physician or health facility which, acting in good faith in accordance with the requirements of this chapter, causes the withholding or withdrawal of life-sustaining procedures from a qualified patient, shall be subject to civil liability therefrom. No licensed health personnel, acting under the direction of a physician, who participates in good faith in the withholding or withdrawal of life-sustaining procedures in accordance with the provisions of this chapter shall be subject to any civil liability. No physician, or licensed health personnel acting under the direction of a physician, or health facility ethics committee member who participates in good faith in the withholding or withdrawal of life-sustaining procedures and no physician who provides aid-in-dying to a qualified patient in accordance with the provisions of this chapter shall be subject to prosecution for or be guilty of any criminal act or of unprofessional conduct.

Sec. 6. RCW 70.122.060 and 1979 c 112 s 7 are each amended to read as follows:

(1) Prior to effectuating a withholding or withdrawal of life-sustaining procedures from or provision of aid-in-dying to a qualified patient pursuant to the directive, the attending physician shall make a reasonable effort to determine that the directive complies with RCW 70.122.030 and, if the patient is mentally competent, that the directive and all steps proposed by the attending physician to be undertaken are currently in accord with the desires of the qualified patient.

(2) The directive shall be conclusively presumed, unless revoked, to be the directions of the patient regarding the withholding or withdrawal of life-

sustaining procedures and/or the provision of aid-in-dying. No physician, and no licensed health personnel acting in good faith under the direction of a physician, shall be criminally or civilly liable for failing to effectuate the directive of the qualified patient pursuant to this subsection, and no health facility may be required to permit the provision of aid-in-dying within its facility. If the physician or health care facility refuses to effectuate the directive, such physician or facility shall make a good faith effort to transfer the qualified patient to another physician who will effectuate the directive of the qualified patient or to another facility.

Sec. 7. RCW 70.122.070 and 1979 c 112 s 8 are each amended to read as follows:

(1) The withholding or withdrawal of life-sustaining procedures from or the provision of aid-in-dying to a qualified patient pursuant to the patient's directive in accordance with the provisions of this chapter shall not, for any purpose, constitute a suicide.

(2) The making of a directive pursuant to RCW 70.122.030 shall not restrict, inhibit, or impair in any manner the sale, procurement, or issuance of any policy of life insurance, nor shall it be deemed to modify the terms of an existing policy of life insurance. No policy of life insurance shall be legally impaired or invalidated in any manner by the withholding or withdrawal of life-sustaining procedures from or the provision of aid-in-dying to an insured qualified patient, notwithstanding any term of the policy to the contrary.

(3) No physician, health facility, or other health provider, and no health ((care)) service plan, insurer issuing disability insurance, self-insured employee welfare benefit plan, or nonprofit hospital service plan, shall require any person to execute a directive as a condition for being insured for, or receiving, health care services.

Sec. 8. RCW 70.122.080 and 1979 c 112 s 10 are each amended to read as follows:

The act of withholding or withdrawing life-sustaining procedures or providing aid-in-dying, when done pursuant to a directive described in RCW 70.122.030 and which causes the death of the declarer, shall not be construed to be an intervening force or to affect the chain of proximate cause between the conduct of any person that placed the declarer in a terminal condition and the death of the declarer.

Sec. 9. RCW 70.122.090 and 1979 c 112 s 9 are each amended to read as follows:

Any person who willfully conceals, cancels, defaces, obliterates, or damages the directive of another without such declarer's consent shall be guilty of a gross misdemeanor. Any person who falsifies or forges the directive of another((;)) or willfully conceals or withholds personal knowledge of a revocation as provided in RCW 70.122.040, with the intent to cause a withholding or withdrawal of life-sustaining procedures or the provision of aid-in-dying contrary to the wishes of the declarer((;)) and thereby, because of any such act, directly causes life-sustaining procedures to be withheld or withdrawn or aid-in-dying to be provided and death to thereby be hastened, shall be subject to prosecution for murder in the first degree as defined in RCW 9A.32.030.

Sec. 10. RCW 70.122.100 and 1979 c 112 s 11 are each amended to read as follows:

Nothing in this chapter shall be construed to condone, authorize, or approve mercy killing, or to permit any affirmative or deliberate act or omission to end life other than to permit the natural process of dying and to permit death with dignity through the provision of aid-in-dying only by a physician when voluntarily requested in writing as provided in this chapter by a conscious and mentally competent qualified patient at the time aid-in-dying is to be provided.

Sec. 11. RCW 70.122.900 and 1979 c 112 s 1 are each amended to read as follows:

This act shall be known and may be cited as the "~~((Natural))~~ Death With Dignity Act((~~"~~))."

NEW SECTION. Sec. 12. 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.

The Speaker referred Initiative to the Legislature Number 119 to Committee on Health Care.

#### MESSAGE FROM THE SECRETARY OF STATE

The Honorable Speaker of the House of Representatives  
Legislature of the State of Washington  
Olympia, Washington  
Mr. Speaker:

We herewith respectfully transmit for your consideration a copy of Initiative to the Legislature Number 120, originally filed with this office on April 2, 1990. On January 3, 1991, the sponsor of the proposed initiative filed 15,281 signature petition sheets in support of the measure. We have completed our preliminary canvass of these petitions and have determined that they contain 242,004 signatures.

Accordingly, pursuant to the provisions of Article 2, section 1 of the State Constitution, we are provisionally certifying Initiative to the Legislature Number 120 to you at this time. We expect to complete verification of signatures no later than February 15, 1991 and we will provide the Legislature with a final certification as soon as possible thereafter.

IN WITNESS WHEREOF, I have set my hand and affixed the Seal of the State of Washington, this fourteenth day of January, 1991.

(Seal)

Ralph Munro, Secretary of State.

#### INITIATIVE TO THE LEGISLATURE NUMBER 120

AN ACT Relating to reproductive privacy; adding new sections to chapter 9.02 RCW; repealing RCW 9.02.010, 9.02.020, 9.02.030, 9.02.040, 9.02.060, 9.02.070, 9.02.080, and 9.02.090; and prescribing penalties.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION. Sec. 1. The sovereign people hereby declare that every individual possesses a fundamental right of privacy with respect to personal reproductive decisions.

Accordingly, it is the public policy of the state of Washington that:

(1) Every individual has the fundamental right to choose or refuse birth control;

(2) Every woman has the fundamental right to choose or refuse to have an abortion, except as specifically limited by this act;

(3) Except as specifically permitted by this act, the state shall not deny or interfere with a woman's fundamental right to choose or refuse to have an abortion; and

(4) The state shall not discriminate against the exercise of these rights in the regulation or provision of benefits, facilities, services, or information.

NEW SECTION. Sec. 2. The state may not deny or interfere with a woman's right to choose to have an abortion prior to viability of the fetus, or to protect her life or health.

A physician may terminate and a health care provider may assist a physician in terminating a pregnancy as permitted by this section.

NEW SECTION. Sec. 3. Unless authorized by section 2 of this act, any person who performs an abortion on another person shall be guilty of a class C felony punishable under chapter 9A.20 RCW.

NEW SECTION. Sec. 4. The good faith judgment of a physician as to viability of the fetus or as to the risk to life or health of a woman and the good faith judgment of a health care provider as to the duration of pregnancy shall be a defense in any proceeding in which a violation of this chapter is an issue

NEW SECTION. Sec. 5. Any regulation promulgated by the state relating to abortion shall be valid only if:

(1) The regulation is medically necessary to protect the life or health of the woman terminating her pregnancy,

(2) The regulation is consistent with established medical practice, and

(3) Of the available alternatives, the regulation imposes the least restrictions on the woman's right to have an abortion as defined by this act.

NEW SECTION. Sec. 6. No person or private medical facility may be required by law or contract in any circumstances to participate in the performance of an abortion if such person or private medical facility objects to so doing. No person may be discriminated against in employment or professional privileges because of the person's participation or refusal to participate in the termination of a pregnancy.

NEW SECTION. Sec. 7. If the state provides, directly or by contract, maternity care benefits, services, or information to women through any program administered or funded in whole or in part by the state, the state shall also provide women otherwise eligible for any such program with substantially equivalent benefits, services, or information to permit them to voluntarily terminate their pregnancies.

NEW SECTION. Sec. 8. For purposes of this chapter:

(1) "Viability" means the point in the pregnancy when, in the judgment of the physician on the particular facts of the case before such physician, there is

a reasonable likelihood of the fetus's sustained survival outside the uterus without the application of extraordinary medical measures.

(2) "Abortion" means any medical treatment intended to induce the termination of a pregnancy except for the purpose of producing a live birth.

(3) "Pregnancy" means the reproductive process beginning with the implantation of an embryo.

(4) "Physician" means a physician licensed to practice under chapter 18.57 or 18.71 RCW in the state of Washington.

(5) "Health care provider" means a physician or a person acting under the general direction of a physician.

(6) "State" means the state of Washington and counties, cities, towns, municipal corporations, and quasi-municipal corporations in the state of Washington.

(7) "Private medical facility" means any medical facility that is not owned or operated by the state.

NEW SECTION. Sec. 9. The following acts or parts of acts are each repealed:

(1) RCW 9.02.010 and 1909 c 249 s 196, Code of 1881 s 821, 1873 p 188 s 42, 1869 p 209 s 40, & 1854 p 81 s 38;

(2) RCW 9.02.020 and 1909 c 249 s 197;

(3) RCW 9.02.030 and 1909 c 249 s 198;

(4) RCW 9.02.040 and 1909 c 249 s 199;

(5) RCW 9.02.060 and 1970 ex.s. c 3 s 1;

(6) RCW 9.02.070 and 1970 ex.s. c 3 s 2;

(7) RCW 9.02.080 and 1970 ex.s. c 3 s 3; and

(8) RCW 9.02.090 and 1970 ex.s. c 3 s 5.

NEW SECTION. Sec. 10. This act shall not be construed to define the state's interest in the fetus for any purpose other than the specific provisions of this act.

NEW SECTION. Sec. 11. 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. 12. This act shall be known and may be cited as the Reproductive Privacy Act.

NEW SECTION. Sec. 13. Sections 1 through 8 and 10 through 12 of this act are each added to chapter 9.02 RCW.

The Speaker referred Initiative to the Legislature Number 120 to Committee on Health Care.

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

## INTRODUCTIONS AND FIRST READING

HB 1069 by Representatives Braddock, Leonard, Prentice, Jones, Pruitt, Riley, Wineberry, Franklin, Jacobsen, Roland, H. Myers, Bowman, Insee, Morris and Spanel

AN ACT Relating to prescription medicine insurance coverage; adding a new section to chapter 48.20 RCW; adding a new section to chapter 48.21 RCW; adding a new section to chapter 48.44 RCW; adding a new section to chapter 41.05 RCW; and creating a new section.

Referred to Committee on Health Care.

HB 1070 by Representatives Braddock, Moyer and Zellinsky

AN ACT Relating to medical test sites; and repealing 70.42.005, 70.42.010, 70.42.020, 70.42.030, 70.42.040, 70.42.050, 70.42.060, 70.42.070, 70.42.080, 70.42.090, 70.42.100, 70.42.110, 70.42.120, 70.42.130, 70.42.140, 70.42.150, 70.42.160, 70.42.170, 70.42.180, 70.42.190, 70.42.200, 70.42.210, 70.42.220, and 70.42.900.

Referred to Committee on Health Care.

HB 1071 by Representatives Anderson, McLean, R. Fisher, Moyer, Dorn, Chandler, Sheldon, Bowman, Winsley, Broback, Edmondson, Paris, Holland, D. Sommers, May, Wynne, Brumsickle, Nealey, Miller, P. Johnson, Casada, Wood, Forner and Mitchell

AN ACT Relating to the appointment of precinct election officers; and amending RCW 29.45.010 and 29.45.030.

Referred to Committee on State Government.

HB 1072 by Representatives McLean, Anderson, R. Fisher, Moyer, Sheldon, Chandler, Bowman, Pruitt, Winsley, Broback, Edmondson, Paris, D. Sommers, May, Wynne, Brumsickle, Nealey, Miller, P. Johnson, Casada, Wood, Forner and Mitchell

AN ACT Relating to elections; amending RCW 29.85.010, 29.85.020, 29.85.040, 29.85.060, 29.85.070, 29.85.090, 29.85.100, 29.85.110, 29.85.170, 29.85.190, 29.85.200, 29.85.210, 29.85.220, 29.85.225, 29.85.230, 29.85.240, 29.85.260, 29.85.275, 29.51.020, 29.07.130, 29.07.220, 29.10.020, 29.10.040, 29.10.110, 29.10.150, 29.10.170, 29.36.010, 29.36.013, 29.36.060, 29.36.097, 29.36.160, 29.36.170, 29.64.020, 29.64.030, 29.64.070, and 35A.42.040; reenacting and amending RCW 29.36.030; adding a new section to chapter 29.85 RCW; adding a new section to chapter 29.10 RCW; recodifying RCW 29.85.190 and 29.85.200; repealing RCW 29.07.151, 29.10.030, 29.10.050, 29.10.120, 29.10.160, 29.30.105, 29.85.030, 29.85.050, 29.85.080, 29.85.105, 29.85.120, 29.85.130, 29.85.140, 29.85.160, and 29.85.180; prescribing penalties; and providing an effective date.

Referred to Committee on State Government.

HB 1073 by Representatives O'Brien, Anderson, Pruitt, Wineberry, Rasmussen, Franklin, P. Johnson, Casada and Tate

AN ACT Relating to voter registration for high school students; and adding a new section to chapter 28A.300 RCW.

Referred to Committee on State Government.

HB 1074 by Representatives Anderson, McLean, R. Fisher, Moyer, Dorn, Chandler, Sheldon, Bowman, Pruitt, Winsley, Phillips, Kremen, Franklin, Basich, Fraser, Scott, Broback, Edmondson, Paris, D. Sommers, May, R. Johnson, Jones, Wynne, Rayburn, Brumsickle, Nealey, Miller, P. Johnson, Casada, Wood, Forner, Mitchell, Bray, Brekke and Spanel

AN ACT Relating to elections; amending RCW 29.21.150, 29.21.180, and 29.30.085; amending 1990 c 59 s 112 (uncodified); adding a new section to chapter 29.21 RCW; and providing an effective date.

Referred to Committee on State Government.

HB 1075 by Representatives Anderson, McLean, R. Fisher, Bowman, Dorn, Winsley, Phillips, Franklin, Basich, Jacobsen, Broback, Edmondson, Leonard, Paris, Holland, D. Sommers, May, R. Johnson, Jones, Wynne, Chandler, Rayburn, Brumsickle, Nealey, Miller, P. Johnson, Casada, Wood, Mitchell and Brekke

AN ACT Relating to precinct committee officers; and amending RCW 29.42.050.

Referred to Committee on State Government.

HB 1076 by Representatives McLean, Anderson, R. Fisher, Bowman, Grant, Moyer, Dorn, Chandler, Sheldon, Ballard, Neher, Winsley, Basich, Jacobsen, Broback, Edmondson, Paris, D. Sommers, May, R. Johnson, Wynne, Rayburn, Ludwig, Brumsickle, Nealey, Miller, P. Johnson, Casada, Wood and Bray

AN ACT Relating to declarations of candidacy; amending RCW 29.18.105 and 29.15.120; providing an effective date; and providing an expiration date.

Referred to Committee on State Government.

HB 1077 by Representatives Winsley and Miller

AN ACT Relating to early retirement; and amending RCW 41.40.180 and 41.40.630.

Referred to Committee on Appropriations.

HB 1078 by Representatives Winsley, Wineberry and Jacobsen

AN ACT Relating to automobile license fee exemption for disabled state employees; and adding a new section to chapter 46.16 RCW.

Referred to Committee on Transportation.

HB 1079 by Representatives Day, Sprenkle and Riley

AN ACT Relating to community corrections officers; and amending RCW 9.95.250.

Referred to Committee on Human Services.

HB 1080 by Representatives Day, Heavey and Sprenkle

AN ACT Relating to early retirement; and amending RCW 41.40.180, 41.40.185, and 41.40.630.

Referred to Committee on Appropriations.

HB 1081 by Representatives Morris, R. Fisher, Braddock, Winsley, Moyer, Paris, Day, G. Fisher, Prentice, H. Sommers, Cooper, R. Johnson, Rust, Dellwo, Pruitt, Phillips, Sprenkle, Riley, Wineberry, Basich, Jacobsen, Leonard, Roland, Bowman, Brekke, Orr, Appelwick and Anderson

AN ACT Relating to bicycle safety; amending RCW 46.04.670, 46.61.990, and 46.37.480; adding a new section to chapter 47.36 RCW; adding a new section to chapter 43.43 RCW; adding new sections to chapter 47.04 RCW; creating a new section; and making an appropriation.

Referred to Committee on Transportation.

HB 1082 by Representatives Braddock, Moyer, Sprenkle and Orr

AN ACT Relating to disclosure of information by the health care authority and state employees benefit board; and amending RCW 41.05.026.

Referred to Committee on State Government.

HB 1083 by Representatives Braddock and Sprenkle; by request of Health Care Authority

AN ACT Relating to voluntary payroll deductions for public employees; and amending RCW 41.04.020, 41.04.230, 41.05.065, and 41.05.075.

Referred to Committee on Health Care.

HB 1084 by Representatives Franklin, Vance, R. King, Ferguson, Jacobsen, Edmondson, May, Wynne, Chandler, Wood, Mitchell and Tate; by request of Liquor Control Board

AN ACT Relating to minors on licensed premises; amending RCW 66.44.310; and prescribing penalties.

Referred to Committee on Commerce and Labor.

HB 1085 by Representatives Winsley, Dellwo, Broback, Dorn, Mielke, Inslee, Schmidt, Zellinsky, Anderson, Paris, R. Johnson, Edmondson, Wynne, Chandler, Wood, Tate and Orr

AN ACT Relating to directors, officers, employees, and other agents of credit unions; adding new sections to chapter 31.12 RCW; and prescribing penalties.

Referred to Committee on Financial Institutions & Insurance.

HB 1086 by Representatives Appelwick, Paris and R. Johnson

AN ACT Relating to the uniform status of children of assisted conception act; adding a new chapter to Title 26 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1087 by Representatives Appelwick, Padden, Broback, Paris and Orr

AN ACT Relating to modifying parenting plans; and reenacting and amending RCW 26.09.260.

Referred to Committee on Judiciary.

HB 1088 by Representatives Appelwick and Paris

AN ACT Relating to uniform transfers to minors; amending RCW 11.76.090, 11.76.095, 11.98.170, and 67.70.220; adding a new chapter to Title 11 RCW; repealing RCW 11.93.010, 11.93.020, 11.93.030, 11.93.040, 11.93.050, 11.93.060, 11.93.070, 11.93.080, 11.93.900, 11.93.910, 11.93.911, 11.93.912, and 11.93.920; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1089 by Representatives Appelwick and Paris

AN ACT Relating to confidentiality of postdecree mediation proceedings; and amending RCW 26.09.015.

Referred to Committee on Judiciary.

HB 1090 by Representatives Leonard, Ferguson, Pruitt, Holland, Rayburn, Prentice, Brekke, Appelwick, Anderson, Silver, Scott, R. Johnson, Wineberry, Inslee, Hargrove, Sprenkle, Dorn, Spanel, Dellwo, R. King, Winsley, Phillips, Riley, Haugen, Vance, Kremen, Rasmussen, Franklin, Basich, Jacobsen, Fraser, Broback, Edmondson, D. Sommers, Roland, Jones, Chandler, Ludwig, Mielke, Nelson, Miller, Wood, Cooper, Bray, Ogden and Morris

AN ACT Relating to early intervention services for infants and toddlers; adding a new chapter to Title 70 RCW; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committees on Human Services/Appropriations.

HB 1091 by Representative Appelwick

AN ACT Relating to uniform foreign-money claims; adding a new chapter to Title 6 RCW; creating a new section; and providing an effective date.

Referred to Committee on Judiciary.

HB 1092 by Representatives Appelwick and Paris

AN ACT Relating to the uniform commercial code, Article I; and amending RCW 62A.1-201 and 62A.1-207.

Referred to Committee on Judiciary.

HB 1093 by Representatives Appelwick, Winsley, Ferguson, Paris, Miller and Wood

AN ACT Relating to state agencies; amending RCW 66.16.040; and adding a new section to chapter 43.17 RCW.

Referred to Committee on State Government.

HB 1094 by Representatives Appelwick and Miller

AN ACT Relating to the sale of alcoholic beverages; and amending RCW 66.16.040.

Referred to Committee on Commerce & Labor.

HB 1095 by Representatives Appelwick, Dellwo and Paris

AN ACT Relating to funds transfers; and adding a new Article to Title 62A RCW.

Referred to Committee on Judiciary.

HB 1096 by Representatives Winsley, Nelson, Ballard, Wineberry, Mitchell, Franklin, Leonard, Ogden, Riley, Roland, Jones and Sheldon

AN ACT Relating to smoke detection devices; amending RCW 48.48.140, 59.18.060, and 59.18.130; and prescribing penalties.

Referred to Committee on Housing.

HB 1097 by Representatives Orr, Wood, Jacobsen, Nealey, Anderson, Prince, Kremen, Day, Rasmussen, Sheldon, Scott, Prentice, Dellwo, R. King, Winsley, Ferguson, Wineberry, Broback, Edmondson, Paris, Jones, Wynne, Chandler, Miller and Tate

AN ACT Relating to tuition and fee waivers; and amending RCW 28B.15.535.

Referred to Committee on Higher Education.

HB 1098 by Representatives Valle, Brumsickle, Cole, Winsley, G. Fisher, Ferguson, R. Johnson, Wineberry, Franklin, Broback and Leonard

AN ACT Relating to student learning centers; adding new sections to chapter 28A.300 RCW; creating a new section; and making an appropriation.

Referred to Committee on Education/Appropriations.

HB 1099 by Representatives Anderson, R. Fisher, Dellwo, Pruitt, Wang, Wineberry, Franklin, Basich, Fraser, Scott, Leonard, Paris, Brekke and Spanel

AN ACT Relating to voter registration; and amending RCW 29.07.160.

Referred to Committee on State Government.

HB 1100 by Representatives Pruitt, Phillips, Peery, Rasmussen, H. Sommers, Jones, Sprenkle, Rust, Winsley, Riley, Wineberry, Franklin, Basich, Roland, R. Johnson and Ogden

AN ACT Relating to the education 2000 task force; amending RCW 28A.150.210; adding new sections to chapter 28A.630 RCW; repealing RCW 28A.150.220; providing an effective date; and providing an expiration date.

Referred to Committee on Education.

HB 1101 by Representatives Rust, May, Holland, Leonard, H. Sommers, Pruitt, Winsley, Riley, Wineberry, Cole, D. Sommers, Wynne, Wood, Mitchell, Morris and Tate

AN ACT Relating to taxation of residential property near county jail facilities; adding a new section to chapter 84.36 RCW; and creating a new section.

Referred to Committee on Revenue.

HB 1102 by Representatives Kremen, Heavey and Braddock

AN ACT Relating to the sale of electrical equipment; and reenacting and amending RCW 19.28.010.

Referred to Committee on Commerce & Labor.

HB 1103 by Representatives Jacobsen, Prince, Belcher, R. Fisher, Ebersole, Fraser, Moyer, Prentice, Basich, Bowman, Pruitt, Ogden, Hargrove, Wang, Ferguson, Jones and Miller

AN ACT Relating to Washington state history; creating new sections; and making an appropriation.

Referred to Committee on Higher Education/Appropriations.

HB 1104 by Representatives Jones, R. King, Edmondson, Jacobsen, Dellwo, Ferguson, Kremen, Zellinsky, Basich, Paris, Chandler and Anderson

AN ACT Relating to merchant marine veterans; and amending RCW 41.04.005.

Referred to Committee on State Government.

HB 1105 by Representatives Jones, Betrozoff, Kremen, Dellwo, Hargrove, Insee, Miller, Fraser, Haugen, Wilson, Winsley, Ferguson, Riley, Broback, Edmondson, D. Sommers, May, Wynne, Chandler, Brumsickle and Orr

AN ACT Relating to exempting property from execution; and amending RCW 6.15.020.

Referred to Committee on Judiciary.

HB 1106 by Representatives Jones, Hargrove, Bowman, Basich and Orr

AN ACT Relating to tax deferrals for hotel and motel investment projects; and amending RCW 82.61.010 and 82.61.030.

Referred to Committee on Revenue.

HB 1107 by Representatives Jones, Pruitt, Betrozoff, Kremen, Braddock, Hargrove, Heavey, Wilson, Zellinsky, Basich and Anderson

AN ACT Relating to the veteran's assistance fund; and amending RCW 73.08.080.

Referred to Committee on Revenue.

HB 1108 by Representatives Jones, Wood, Jacobsen, Morris, Sprenkle, Miller, Zellinsky, Broback, Edmondson, D. Sommers, Wynne, Chandler, Van Luven, P. Johnson, Casada, Hochstatter, Bowman and Tate

AN ACT Relating to higher education; and amending RCW 28B.15.380, 28B.15.385, 28B.15.520, 28B.35.361, and 28B.40.361.

Referred to Committee on Higher Education/Appropriations.

HB 1109 by Representatives Jones, Peery, Brough, Jacobsen, Miller, Brumsickle, Rasmussen, Betrozoff, Pruitt, G. Fisher, Phillips, Valle, Holland, Dorn, Roland, Dellwo, Braddock, Cole, Sprenkle, R. King, Winsley, Ferguson, Riley, Vance, Wineberry, Scott, Broback, Leonard, R. Johnson, Ludwig, Silver, H. Myers, Cooper and Brekke

AN ACT Relating to education; creating new sections; making an appropriation; and providing an expiration date.

Referred to Committee on Education.

HB 1110 by Representatives Day, Silver, Braddock and Orr

AN ACT Relating to prescription drugs; amending RCW 69.41.030; and declaring an emergency.

Referred to Committee on Health Care.

HB 1111 by Representatives Scott, Beck, Belcher, Miller, Bowman, Brumsickle, Winsley, Kremen, Rasmussen, Basich and Nelson

AN ACT Relating to community and urban forestry; and adding a new chapter to Title 76 RCW.

Referred to Committee on Natural Resources & Parks.

HB 1112 by Representatives Ferguson, Belcher, Brumsickle, R. King, Rasmussen and Miller

AN ACT Relating to environmental interpretation in Washington's state parks; adding new sections to chapter 43.51 RCW; and creating a new section.

Referred to Committee on Natural Resources & Parks.

HJM 4000 by Representatives Ebersole, Nelson, Belcher, Wineberry, Valle, Cole, Prentice, Rust, Wang, Phillips, Ogden, Franklin, O'Brien, Anderson, R. King, Fraser, H. Sommers, Riley, Spanel, Morris, Pruitt, Jones, Brekke and Leonard

Expressing concern about the Persian Gulf.

Referred to Committee on State Government.

HJM 4001 by Representatives Fuhrman, Cole, Casada, Chandler, Silver, Heavey, Ballard, Rasmussen, Ferguson, Fraser, Wineberry, Padden, Broback, Nelson, May, Bray, Mielke, Paris, Beck, Moyer, Morton, Wood, Bowman, Jones, Prentice, Franklin, Brumsickle, Appelwick, Valle, Phillips, Spanel, Betrozoff, Leonard, Jacobsen, Brough, Anderson, Tate, Basich, Wynne, R. King, Hochstatter, P. Johnson, Brekke, Rust, Nealey, Morris, Vance, Sheldon, Peery, Hargrove, D. Sommers, Belcher, Mitchell, Dorn, Pruitt, Forner, Orr, Dellwo, Sprengle, Kremen and Inslee

Petitioning Congress to prohibit alcoholic beverage commercials or such commercials using motorized vehicles.

Referred to Committee on Commerce & Labor.

HJM 4002 by Representatives R. Meyers, Ferguson, Ballard, Broback, Edmondson, Paris, Holland, May, D. Sommers, Mielke, Brumsickle, Nealey, Miller, P. Johnson, Casada, Wood, Padden, Bowman, Tate and McLean

Supporting the President's decision to use force, if necessary, to expel Iraq from Kuwait.

Referred to Committee on State Government.

HCR 4402 by Representatives Ebersole and Ballard

Establishing Legislative cutoff dates.

#### MOTION

On motion of Mr. Ebersole, the bills and memorials listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

## SPEAKER'S PRIVILEGE

The Speaker introduced The Honorable Della M. Newman, American Ambassador to New Zealand, who briefly addressed the members of the House of Representatives.

## MOTIONS

On motion of Mr. Ebersole, the rules were suspended and House Concurrent Resolution No. 4402 was read the second time in full.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Ebersole and Miller spoke in favor of adoption of the resolution.

House Concurrent Resolution No. 4402 was adopted.

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

## STANDING COMMITTEE ASSIGNMENTS

The Speaker announced the following revisions to committee assignments: Representative R. Meyers reassigned from the Committee on Energy & Utilities to the Committee on Financial Institutions & Insurance.

Representative Rayburn reassigned from the Committee on Financial Institutions & Insurance to the Committee on Energy & Utilities.

## MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Monday, January 21, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**EIGHTH DAY**-----  
**MORNING SESSION**  
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House Chamber, Olympia, Monday, January 21, 1991

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Locke and Wang. On motion of Ms. Cole, Representatives Locke and Wang were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jennifer Tait and Christopher Billingsley. Prayer was offered by The Reverend Hilton Jarvis of the Lacey Baptist Church.

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

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

**INTRODUCTIONS AND FIRST READING**

HB 1113 by Representatives Haugen, Ferguson, Basich, Riley, Winsley, Wang, Brekke, Dellwo, R. Meyers, Van Luven, Scott, Hargrove and Phillips

AN ACT Relating to the source of funding for costs of legal representation in cases relating to dependency of a child and the termination of a parent and child relationship; and amending RCW 13.34.090 and 13.34.100.

Referred to Committees on Human Services/Appropriations.

HB 1114 by Representatives R. Meyers, R. Fisher, Dorn, Winsley, Pruitt, Tate, Rasmussen, Wang, Casada, Roland, Vance, Ebersole, Broback, Paris, Brough and Wynne

AN ACT Relating to Pierce county district court judges; and amending RCW 3.34.010.

Referred to Committee on Judiciary.

HB 1115 by Representatives Appelwick, Padden, Dellwo and Paris; by request of Statute Law Committee

AN ACT Relating to the correction of references that are incorrect or obsolete as a result of the creation of the department of health by chapter 9, Laws of 1989 1st ex.s.; amending RCW 15.36.425, 16.70.010, 16.70.020, 18.06.010, 18.06.020, 18.06.030, 18.06.050, 18.06.060, 18.06.070, 18.06.080, 18.06.110, 18.06.120, 18.06.130, 18.06.140, 18.06.160, 18.06.170, 18.06.180, 18.06.190, 18.19.020, 18.19.030, 18.19.050, 18.19.070, 18.19.080, 18.19.090, 18.19.100, 18.19.110, 18.19.120, 18.19.130, 18.19.140, 18.19.150, 18.19.160, 18.19.170, 18.19.180, 18.20.020, 18.20.060, 18.25.006, 18.25.017, 18.25.020, 18.25.040, 18.25.070, 18.25.075, 18.25.100, 18.26.020, 18.26.050, 18.26.070, 18.29.021, 18.29.045, 18.29.060, 18.29.071, 18.29.100, 18.29.110, 18.29.120, 18.29.130, 18.29.140, 18.29.150, 18.29.160, 18.29.180, 18.32.010, 18.32.030, 18.32.037, 18.32.040, 18.32.100, 18.32.110, 18.32.120, 18.32.160, 18.32.170, 18.32.180, 18.32.190, 18.32.195, 18.32.220, 18.32.520, 18.32.534, 18.32.745, 18.34.020, 18.34.030, 18.34.070, 18.34.080, 18.34.110, 18.34.120, 18.35.010, 18.35.040, 18.35.060, 18.35.080, 18.35.090, 18.35.240, 18.35.250, 18.36A.020, 18.36A.030, 18.36A.040, 18.36A.050, 18.36A.060, 18.36A.070, 18.36A.080, 18.36A.090, 18.36A.100, 18.36A.110, 18.36A.120, 18.36A.130, 18.36A.140, 18.46.010, 18.46.050, 18.50.005, 18.50.010, 18.50.020, 18.50.034, 18.50.040, 18.50.045, 18.50.050, 18.50.060, 18.50.102, 18.50.105, 18.50.115, 18.50.135, 18.50.140, 18.50.150, 18.52.020, 18.52.060, 18.52.070, 18.52.100, 18.52.110, 18.52.130, 18.52A.020, 18.52A.030, 18.52B.050, 18.52B.080, 18.52B.110, 18.52B.120, 18.52B.150, 18.52B.160, 18.52C.020, 18.52C.030, 18.52C.040, 18.53.021, 18.53.050, 18.53.060, 18.53.070, 18.53.100, 18.53.140, 18.54.050, 18.54.070, 18.54.140, 18.55.020, 18.55.030, 18.55.040, 18.55.050, 18.55.060, 18.57.001, 18.57.020, 18.57.050, 18.57.080, 18.57.130, 18.59.020, 18.59.080, 18.59.090, 18.59.110, 18.59.150, 18.71.010, 18.71.015, 18.71.040, 18.71.050, 18.71.051, 18.71.080, 18.71.095, 18.71.200, 18.72.100, 18.72.120, 18.72.155, 18.72.306, 18.72.380, 18.72.400, 18.74.010, 18.74.010, 18.74.020, 18.74.023, 18.74.035, 18.74.040, 18.74.050, 18.74.060, 18.74.070, 18.74.090, 18.74.095, 18.74.120, 18.76.020, 18.78.010, 18.78.050, 18.78.060, 18.78.080, 18.78.100, 18.78.110, 18.78.225, 18.83.010, 18.83.025, 18.83.045, 18.83.050, 18.83.060, 18.83.072, 18.83.080, 18.83.090, 18.83.105, 18.83.170, 18.83.190, 18.84.020, 18.84.040, 18.84.050, 18.84.060, 18.84.070, 18.84.080, 18.84.090, 18.84.100, 18.84.110, 18.88.030, 18.88.080, 18.88.090, 18.88.160, 18.88.175, 18.88.190, 18.88.200, 18.88.220, 18.88A.020, 18.88A.050, 18.88A.070, 18.88A.080, 18.88A.090, 18.88A.100, 18.89.020, 18.89.050, 18.89.060, 18.89.070, 18.89.080, 18.89.090, 18.89.100, 18.89.110, 18.89.120, 18.89.130, 18.89.140, 18.92.015, 18.92.035, 18.92.040, 18.92.047, 18.92.070, 18.92.100, 18.92.115, 18.92.120, 18.92.130, 18.92.140, 18.92.145, 18.104.040, 18.104.080, 18.104.110, 18.108.010, 18.108.020, 18.108.020, 18.108.025, 18.108.040, 18.108.060, 18.108.070, 18.108.073, 18.108.085, 18.122.040, 18.122.060, 18.122.070, 18.122.080, 18.122.090, 18.122.120, 18.122.130, 18.122.140, 18.122.150, 18.130.060, 18.130.175, 18.135.020, 18.135.030, 18.135.050, 18.135.055, 18.135.065, 18.135.080, 18.138.010, 18.138.020, 18.138.030, 18.138.040, 18.138.050, 18.138.060, 18.138.070, 18.138.080, 18.138.090, 19.32.110, 26.33.300, 28A.210.030, 28A.210.090, 28A.210.110, 28B.104.060, 43.03.028, 43.20B.020, 43.20B.110, 43.59.030, 43.70.320, 43.83B.380, 43.99D.025, 43.99E.025, 69.30.010, 69.30.080, 70.05.053, 70.05.054, 70.05.055, 70.05.060, 70.05.070, 70.05.080, 70.05.090, 70.05.100, 70.05.130, 70.08.050, 70.12.015, 70.12.070, 70.22.020, 70.22.030, 70.22.040, 70.22.050, 70.22.060, 70.24.017, 70.24.100, 70.24.120, 70.24.130, 70.24.150, 70.24.400, 70.24.410, 70.30.081, 70.33.010, 70.40.020, 70.40.030, 70.40.150, 70.41.020, 70.41.130, 70.41.200, 70.41.230, 70.41.240, 70.47.060, 70.50.010, 70.54.040, 70.58.005, 70.58.107, 70.58.310, 70.58.320, 70.58.340, 70.62.210, 70.83.020, 70.83.030, 70.83.040, 70.83B.020, 70.90.110,

70.90.130, 70.90.210, 70.98.030, 70.104.010, 70.104.030, 70.104.040, 70.104.050, 70.104.055, 70.104.057, 70.104.060, 70.104.080, 70.104.090, 70.116.010, 70.116.030, 70.118.020, 70.118.040, 70.119.020, 70.119A.020, 70.119A.080, 70.121.020, 70.127.010, 70.142.020, 70.142.050, and 74.15.060; reenacting and amending RCW 18.57A.040, 18.78.090, 18.130.190, 42.17.2401, and 43.43.735; and adding new sections to chapter 43.70 RCW.

Referred to Committee on Judiciary.

**HB 1116** by Representatives R. Meyers, Appelwick, R. Fisher, Wood, Paris and Edmondson; by request of Department of Licensing

AN ACT Relating to proof of financial responsibility; and amending RCW 46.29.450.

Referred to Committee on Transportation.

**HB 1117** by Representatives R. King, Winsley and Heavey; by request of Department of Licensing

AN ACT Relating to registration of engineers; and amending RCW 18.43.020, 18.43.040, 18.43.050, 18.43.060, 18.43.070, 18.43.130, and 18.43.100.

Referred to Committee on Commerce & Labor.

**HB 1118** by Representatives R. Fisher, R. Meyers, Schmidt and Prince

AN ACT Relating to maximum lengths of vehicles; and amending RCW 46.44.030.

Referred to Committee on Transportation.

**HB 1119** by Representatives Rayburn, Brumsickle, Prince, Bowman, Peery, Bray, Ludwig, Lisk and Nealey

AN ACT Relating to increasing port district debt limits; and amending RCW 53.36.030.

Referred to Committee on Trade & Economic Development.

**HB 1120** by Representatives Roland, Fomer, Leonard, Holland, Scott, Valle, Day, O'Brien, Prince, Bowman, R. Meyers, Tate, H. Myers, Hine, Fuhrman, Rayburn, Prentice, Jacobsen, R. King, Chandler, Wilson, Inslee, Wood, Rasmussen, Cooper, R. Johnson, Vance, Sheldon, Morris, Appelwick, Brumsickle, Hochstatter, Van Luven, Paris, Haugen, Kremen, Zellinsky, Edmondson, Brough, Phillips, Lisk, Betzoff, Wynne, Nealey, Miller, Fraser, Wineberry, Sprengle, Orr, McLean and Anderson

AN ACT Relating to horse racing; amending RCW 67.16.014, 67.16.102, 67.16.105, 67.16.130, 67.16.170, and 67.16.200; reenacting and amending RCW 67.16.100 and 67.16.175; repealing RCW 67.16.210 and 67.16.220; and declaring an emergency.

Referred to Committees on Commerce & Labor/Revenue.

HB 1121 by Representatives Heavey, Schmidt, Rayburn, Wood, Kremen, Basich, Dorn, Wilson, Wineberry, Haugen, Jacobsen, Van Luven and Betrozoff

AN ACT Relating to athlete agents; adding a new chapter to Title 18 RCW; making an appropriation; providing an effective date; and prescribing penalties.

Referred to Committees on Commerce & Labor/Appropriations.

HB 1122 by Representatives Heavey, Cole and Prentice

AN ACT Relating to labor relations consultants; and adding a new chapter to Title 18 RCW.

Referred to Committee on Commerce & Labor.

HB 1123 by Representatives Braddock, Franklin and Orr; by request of Dept. of Social and Health Services

AN ACT Relating to compliance with federal requirements concerning land, depreciable assets, and resident finances; amending RCW 74.46.360, 74.46.410, 74.46.530, and 74.46.700; and repealing RCW 74.46.710, 74.46.720, 74.46.730, 74.46.740, 74.46.750, and 74.46.760.

Referred to Committee on Health Care/Appropriations.

HB 1124 by Representatives Braddock and Orr; by request of Dept. of Social and Health Services

AN ACT Relating to an advisory council for aging and adult services; amending RCW 18.51.070; adding new sections to chapter 43.20A RCW; creating a new section; and repealing RCW 43.20A.680, 43.20A.685, 43.20A.690, 43.20A.695, 18.51.100, 18.51.110, 18.51.910, and 18.51.911.

Referred to Committee on Health Care.

HB 1125 by Representatives Braddock and Orr; by request of Dept. of Social and Health Services

AN ACT Relating to the billing period for vendors; and amending RCW 74.09.160.

Referred to Committees on Health Care/Appropriations.

HB 1126 by Representatives Braddock and Orr; by request of Dept. of Social and Health Services

AN ACT Relating to utilization review of nursing facilities; amending RCW 43.190.020, 70.38.105, 74.08.044, 74.09.250, 74.09.260, 74.09.510, 74.09.700, and 18.51.310; reenacting and amending RCW 74.09.520; and repealing RCW 74.42.610.

Referred to Committee on Health Care.

HB 1127 by Representatives Sheldon, Hargrove, Appelwick, Forner, Paris, Vance, Scott, Wineberry, Jacobsen, Chandler, Wood, P. Johnson, Roland, R. Johnson, Haugen, Cantwell, Jones, May, Zellinsky, Brough, Basich, Lisk, Mitchell, Wynne, Miller, Moyer, Brekke and Sprenkle

AN ACT Relating to superior courts; amending RCW 2.08.061, 2.08.062, 2.08.064, and 2.08.065; creating a new section; providing effective dates; and declaring an emergency.

Referred to Committee on Judiciary/Appropriations.

HB 1128 by Representatives R. Fisher, Schmidt, R. Meyers, Betzoff, Wood and Zellinsky

AN ACT Relating to high occupancy vehicles; and adding a new section to chapter 46.90 RCW.

Referred to Committee on Transportation.

HB 1129 by Representatives Zellinsky, Schmidt, R. Johnson, R. Meyers, Jacobsen, Winsley, Inslee, Wood, Morris, Neher, Van Luven, Scott, Rust, Kremen, Brough, Betzoff, Miller, G. Fisher and Sprenkle

AN ACT Relating to the Washington state patrol retirement system; and amending RCW 43.43.130.

Referred to Committee on Appropriations.

HB 1130 by Representatives Wineberry, Winsley, Leonard, P. Johnson, Sheldon, Ballard, Padden, Chandler, Wood, Forner, Casada, Horn, Mielke, Hochstatter, Van Luven, Paris, D. Sommers, Hargrove, Fuhrman, Edmondson, Brough, Betzoff, Wynne, Nealey, Miller, Bowman, Moyer and Tate

AN ACT Relating to landlord's claims on confiscated property; and reenacting and amending RCW 69.50.505.

Referred to Committee on Judiciary.

HB 1131 by Representatives Valle, Ferguson, Belcher, Holland, Bowman, Sprenkle, Brekke and Forner

AN ACT Relating to municipal employees; adding a new section to chapter 42.23 RCW; and declaring an emergency.

Referred to Committee on Local Government.

HB 1132 by Representatives Valle, Ferguson, Belcher, Bowman, Sprenkle, Brekke, Pruitt, Dellwo and Morris

AN ACT Relating to procurement of architectural and engineering contracts; creating new sections; and declaring an emergency.

Referred to Committees on State Government/Capital Facilities & Financing.

HB 1133 by Representatives Valle, Ferguson, Belcher, Bowman, Sprenkle, Brekke, Pruitt, Dellwo, Sheldon, Morris, Jones, Berozoff and Orr

AN ACT Relating to personal service contracts; amending RCW 39.29.003, 39.29.018, and 39.29.006; adding new sections to chapter 39.29 RCW; creating a new section; and declaring an emergency.

Referred to Committee on State Government.

HB 1134 by Representatives Haugen, Ludwig, Zellinsky, Scott, Brough, Ferguson, Kremen, Cantwell, Holland, Forner, Chandler, Wood, Roland, R. Johnson, Vance, Broback, Van Luven, Paris, May, Rayburn, Wynne, Bowman, Sprenkle and Orr

AN ACT Relating to vehicular crimes; and amending RCW 46.61.520 and 46.61.522.

Referred to Committee on Judiciary.

HB 1135 by Representatives Haugen, Wilson, R. Fisher, G. Fisher, Prince, Ferguson, Spanel, Hine, Tate, Hargrove, Dorn, Wood, Jones, Zellinsky, Brough, Bray, Ludwig, Rayburn and Berozoff

AN ACT Relating to responsibility for city streets; and amending RCW 47.24.020.

Referred to Committee on Local Government.

HB 1136 by Representatives Haugen, O'Brien, Wilson, Wineberry, Spanel, Prince, Valle, H. Myers, Heavey, Scott, Cole, Zellinsky, Wood, Paris, Orr, Jacobsen, Leonard and May

AN ACT Relating to cosmetology; amending RCW 18.16.020, 18.16.030, 18.16.050, 18.16.060, 18.16.090, 18.16.100, 18.16.110, 18.16.130, 18.16.140, 18.16.150, 18.16.160, 18.16.200, 50.04.225, 51.12.020, and 82.04.360; adding new sections to chapter 18.16 RCW; repealing RCW 18.16.040 and 18.16.120; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1137 by Representatives Haugen, Horn, Wang, Prince, Scott, Wilson, Zellinsky, Riley, Morris, Rayburn, Dorn, Wood, Paris, Orr, Ferguson, Winsley, Bray, Ludwig, Chandler, Inslee, Ogden, Ballard, Forner, Rasmussen, Roland, R. Johnson, Vance, Sheldon, Appelwick, Spanel, Leonard, Broback, D. Sommers, Hine, Kremen, Hargrove, Jones, May, Edmondson, Brough, Holland, Betzoff, Wynne, Nealey, Miller, Bowman and Moyer; by request of Task Force on City/County Finances

AN ACT Relating to local government; amending RCW 82.14.310, 82.14.315, 82.14.320, 82.14.330, 82.14.340, and 63.29.190; and declaring an emergency.

Referred to Committee on Local Government.

HB 1138 by Representatives Prentice, Brough, Wang, Paris, Morris, Day, Prince, Ferguson, Braddock, Franklin, Bray, Pruitt, Dellwo, Sheldon, Leonard, Brekke and Anderson

AN ACT Relating to registered nurses; amending RCW 18.88.280; and adding a new section to chapter 18.88 RCW.

Referred to Committee on Health Care.

HB 1139 by Representatives Peery, H. Myers, Brough, Morris, Winsley, Pruitt, Cooper, Jones, Rayburn, Basich, Betzoff, Miller and G. Fisher

AN ACT Relating to continuing education credit requirements; and adding a new section to chapter 28A.415 RCW.

Referred to Committee on Education.

HB 1140 by Representatives Peery, H. Myers and Basich

AN ACT Relating to county sheriff civil service systems; amending RCW 41.14.030; and adding a new section to chapter 41.14 RCW.

Referred to Committee on Local Government.

HB 1141 by Representatives Peery, Beck, Cantwell, Wood, Winsley, Rasmussen, Paris, Scott, Jones, Rayburn, Basich and Orr

AN ACT Relating to programs for students with learning problems; amending RCW 28A.630.050 and 28A.630.060; adding a new section to chapter 28A.630 RCW; and creating a new section.

Referred to Committee on Education/Appropriations.

HB 1142 by Representatives Rasmussen, Bowman, Chandler, Kremen, Spanel, Roland, Tate, Sprenkle, McLean, Dorn, Rayburn, Haugen, Riley, R. Johnson, Grant, Jones, Phillips, Orr, Brumsickle, Ferguson, Ballard, P. Johnson, Sheldon, Hochstatter, Paris, Fuhrman, Morton, Padden, Edmondson, Lisk, Betrozoff, Wynne, Nealey and Moyor

AN ACT Relating to processor and preparer liens; and amending RCW 20.01.010 and 60.13.010.

Referred to Committee on Agriculture & Rural Development.

HB 1143 by Representatives Wood, Jacobsen, Schmidt, May, Miller, Paris, Jones, Beck, Spanel, Fuhrman, Haugen, Heavey, Winsley, Forner, Mitchell, Betrozoff and Wynne

AN ACT Relating to higher education; and amending RCW 28B.50.140, 28B.35.205, and 28B.40.206.

Referred to Committee on Higher Education.

HB 1144 by Representatives Jacobsen, Miller, Winsley, Cole, Wood, Rasmussen, Prentice, R. Fisher, Valle, Fraser, Haugen, Belcher, Scott, Franklin, Ogden, Roland, Riley, Leonard, Cantwell, Rust, Hine, Pruitt, Insee, R. Johnson, Sheldon, Spanel, Kremen, Rayburn, Brekke and Orr

AN ACT Relating to the state building code; reenacting and amending RCW 19.27.031 and 19.27.060; and creating a new section.

Referred to Committee on State Government.

HB 1145 by Representatives Jacobsen, Wood, Ogden, Sheldon, Paris, Jones, Basich, Wynne, Miller, Wineberry and Anderson

AN ACT Relating to the American Indian endowed scholarship program; and amending RCW 28B.108.010, 28B.108.030, 28B.108.050, 28B.108.060, and 28B.108.070.

Referred to Committee on Higher Education.

HB 1146 by Representatives Jacobsen, Prince, Winsley, Spanel, Paris, Padden, Rayburn and Miller

AN ACT Relating to the Washington national science fellows program; adding a new section to chapter 28B.80 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1147 by Representatives Pruitt, Wood, Ogden, Bowman, Anderson, Ferguson, Sprengle, Jacobsen, Rasmussen and Moyer

AN ACT Relating to citizen service; amending RCW 43.150.010, 43.150.040, 43.150.050, and 43.150.060; and creating a new section.

Referred to Committee on State Government.

HB 1148 by Representatives Ogden, Wood, Pruitt, Bowman, Anderson, Ferguson, Sprengle, Jacobsen, Winsley, Morris, Basich and Moyer

AN ACT Relating to encouraging youth in citizen service; adding new sections to chapter 43.150 RCW; making an appropriation; and providing an expiration date.

Referred to Committees on State Government/Appropriations.

HB 1149 by Representatives Spanel, Brumsickle, Dorn, Betrozoff, Rasmussen, Pruitt, Holland, Peery, Phillips, R. Johnson, Cole and Winsley

AN ACT Relating to academic contests; adding a new section to chapter 28A.625 RCW; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 1150 by Representatives Spanel, Ferguson, Haugen, Wood, Nelson, Belcher, G. Fisher, Brough, Locke, H. Sommers, Wilson and Mitchell

AN ACT Relating to port districts; amending RCW 53.12.010, 53.12.130, and 53.12.120; adding new sections to chapter 53.12 RCW; adding a new section to chapter 53.04 RCW; creating a new section; and repealing RCW 53.12.020, 53.12.035, 53.12.040, 53.12.044, 53.12.050, 53.12.055, 53.12.057, 53.12.060, 53.12.160, 53.12.172, 53.12.180, 53.12.190, 53.12.200, 53.12.210, and 53.12.220.

Referred to Committee on Local Government.

HB 1151 by Representatives Ferguson, Appelwick, Winsley, Rasmussen, Tate, Fuhrman, Broback, Moyer, Holland, Dorn, Phillips, Pruitt, H.

Sommers, Brumsickle, D. Sommers, Ogden, Ballard, Forner, Grant, Roland, Vance, Morris, Spanel, Paris, Haugen, May, Rayburn, Zellinsky, Silver, Betrozoff, Nealey, Sprenkle and Orr

AN ACT Relating to changing the blood and breath alcohol content standards for intoxication for those persons under the age of twenty-one; amending RCW 46.61.502, 46.61.504, 46.61.506, and 9.41.098; and reenacting and amending RCW 88.02.095.

Referred to Committee on Judiciary.

HB 1152 by Representatives Winsley, Leonard, Riley, Tate, Cole, Mitchell, Dorn, Wineberry, Scott, Rust, Roland, Valle, R. Johnson, Franklin and Anderson

AN ACT Relating to food stamps; and adding a new section to chapter 74.04 RCW.

Referred to Committee on Judiciary.

HB 1153 by Representatives Winsley, Rust, Horn, Valle, Edmondson, Neher, Cole, Anderson, Ferguson, Jacobsen, Rasmussen, R. Johnson, Paris, Scott, Betrozoff, Nealey and Sprenkle

AN ACT Relating to the penalty for littering; amending RCW 70.93.060; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1154 by Representatives Winsley, Cole, Anderson, Betrozoff, Horn, Broback, Van Luven, Brough, Wynne and Fraser

AN ACT Relating to studded tires; and amending RCW 47.36.250 and 46.37.420.

Referred to Committee on Transportation.

HB 1155 by Representatives Winsley, R. Fisher, Betrozoff, R. Meyers, Chandler, Mitchell, Zellinsky, Nelson, Heavey, Wood, Cole, Dorn, Scott, Jacobsen, Ballard, Rasmussen, Roland, Leonard, Van Luven, Haugen, Kremen, Brough, Holland, Basich, G. Fisher and Sprenkle

AN ACT Relating to proper lane travel; and amending RCW 46.61.100.

Referred to Committee on Transportation.

HB 1156 by Representatives Winsley, Rayburn, Rasmussen, R. Johnson, Cole and Wilson

AN ACT Relating to structural pest control inspectors; and amending RCW 15.58.030, 15.58.040, 15.58.150, and 15.58.210.

Referred to Committee on Commerce & Labor.

HB 1157 by Representatives Winsley, McLean, Holland, Vance, P. Johnson, Broback, Cole, Mitchell, Wilson, Inslee, Ballard, Horn, R. Johnson, Morris, Leonard, Paris, Kremen, May, Zellinsky, Edmondson, Brough, Basich, Nealey, Miller, Bowman and Brekke

AN ACT Relating to advanced education for certificated instructional staff; amending RCW 28A.305.250; repealing RCW 28A.410.050; and declaring an emergency.

Referred to Committee on Education.

HB 1158 by Representatives Brekke, Winsley, Leonard, Rayburn, Inslee, Rasmussen, O'Brien, Fuhrman, Hargrove, Riley, R. Johnson, Franklin, Scott, Haugen, Edmondson, Phillips, Bowman, G. Fisher, Sprenkle and Orr

AN ACT Relating to minors incapacitated by alcohol and other drugs; amending RCW 70.96A.020, 70.96A.095, 70.96A.140, 71.05.210, and 71.34.060; and creating new sections.

Referred to Committee on Human Services.

HB 1159 by Representatives Cole, Leonard, Roland, Jacobsen, Rust, Prentice, Ebersole, Phillips, Holland, Scott, R. Fisher, Fraser, Jones, Pruitt, Franklin, Brekke, Sprenkle, R. King, Wood, Basich, Wang, Spanel, Belcher, H. Myers, Appelwick, Orr, Beck, Braddock, Horn, Dellwo, R. Johnson, Morris, Nelson, Miller, Wineberry and Anderson

AN ACT Relating to corporal punishment; and creating a new section.

Referred to Committee on Education.

HB 1160 by Representatives Cole, Jacobsen, Franklin and Rayburn

AN ACT Relating to vocational rehabilitation counselors for industrial insurance; adding a new section to chapter 51.36 RCW; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1161 by Representatives D. Sommers, Sprenkle, Paris, Morris, Wood, Casada, Prentice, Ferguson, Winsley, Betrozoff and Bowman

AN ACT Relating to the basic health plan; amending RCW 70.47.080 and 43.131.355; reenacting and amending RCW 43.131.356; and creating a new section.

Referred to Committee on Health Care.

HB 1162 by Representatives D. Sommers, Hargrove, Padden, Paris, Kremen, Tate, Rasmussen, McLean, Grant, Lisk, Chandler, Ferguson, Pruitt, Ballard, Wood, P. Johnson, Forner, Casada, Horn, Sheldon, Brumsickle, Mielke, Hochstatter, Broback, Van Luven, May, Fuhrman, Morton, Edmondson, Brough, Basich, Mitchell, Wynne, Bowman, Moyer and Orr

AN ACT Relating to governmental regulatory action; adding a new chapter to Title 64 RCW; and providing an effective date.

Referred to Committee on Judiciary.

HB 1163 by Representatives Cole, Prentice, Braddock, Jacobsen, Winsley, Brekke, R. King, Leonard, Valle and Sprenkle

AN ACT Relating to controlled substances; amending RCW 69.50.302, 69.50.303, 69.50.308, and 42.17.310; reenacting and amending RCW 69.50.101; adding new sections to chapter 69.50 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Health Care.

HB 1164 by Representatives Cole, Jacobsen, Winsley, Peery, R. King, Wood, Scott, Paris, Ogden, Brumsickle, Leonard, Haugen, Zellinsky, Dorn, Wilson, Morris, Neher, Schmidt, Valle, Jones, Rayburn, Basich, Miller, Fraser, G. Fisher and Sprenkle

AN ACT Relating to teachers' retirement; and adding a new section to chapter 41.32 RCW.

Referred to Committee on Appropriations.

HB 1165 by Representatives Wineberry, Brough, Peery, Holland, Dorn, Appelwick, Locke, Betrozoff, Valle, Ebersole, Pruitt, Brekke, Phillips, Anderson, Ferguson, Winsley, Rasmussen, Vance, Paris, May, Zellinsky and Mitchell

AN ACT Relating to optional four-quarter educational programs in grades kindergarten through twelve; adding a new section to chapter 28A.410 RCW; adding a new section to chapter 28A.150 RCW; adding a new section to chapter 28A.405 RCW; adding a new section to chapter 28A.225 RCW; creating a new section; repealing RCW 28A.410.080; and making appropriations.

Referred to Committees on Education/Appropriations.

HB 1166 by Representatives Wineberry, Miller, Leonard, Bowman, Brough, Locke, Ebersole, Hine, Brekke, Sprenkle, Anderson, Wilson, Wang,

Winsley, R. King, Wood, Rasmussen, Dellwo, R. Johnson, Cole, Spanel, Scott, Kremen, Jones, Holland, Mitchell, G. Fisher and Orr

AN ACT Relating to community-based child care resource and referral agencies; amending RCW 74.13.0903; adding a new section to chapter 74.13 RCW; creating a new section; and making an appropriation.

Referred to Committees on Human Services/Appropriations.

HB 1167 by Representatives Wineberry, Moyer, Leonard, Prince, Inslee, Winsley, Franklin, D. Sommers, Locke, Appelwick, Ebersole, Brekke, Sprenkle, Wang, Anderson, Phillips, Jones, Prentice, Basich, Nelson, Vance, Ogden, Wood, Dellwo, R. Johnson, Cole, Belcher, Spanel, Scott, Hine, Valle and Zellinsky

AN ACT Relating to hunger and malnutrition; adding new sections to chapter 74.04 RCW; adding new sections to Title 28A RCW; creating new sections; making appropriations; providing an effective date; and declaring an emergency.

Referred to Committees on Human Services/Appropriations.

HB 1168 by Representatives Fuhrman, Orr, Wilson, Haugen, Basich, Hochstatter, Neher, Padden, May, Riley, Schmidt, McLean, Morton, Mielke, Chandler, Grant and Morris

AN ACT Relating to hunting or fishing rights off the reservation of Indians; and adding a new section to chapter 77.12 RCW.

Referred to Committee on Fisheries & Wildlife.

HB 1169 by Representatives Fuhrman, Grant, Chandler, Rayburn, Nealey, Lisk, Orr, Haugen, Mielke, Neher, Hochstatter, Basich, Ferguson, Padden, Morton, Riley, Holland, McLean and Sheldon

AN ACT Relating to eliminating hunting license requirements; and adding a new section to chapter 77.32 RCW.

Referred to Committee on Fisheries & Wildlife.

HB 1170 by Representatives Holland, Leonard, Brough, H. Sommers, Vance, Cole, Ballard, Rayburn, Brumsickle, May, Fuhrman, Mitchell, Silver, Wynne, Hochstatter, Wood, Miller, Jones, Former, Padden, Tate, Mielke, Kremen, Dorn, Schmidt, Heavey, Basich, R. Fisher, Braddock, Brekke, Morris, Morton, Prentice, Locke, Van Luven, Broback, Ferguson, Fraser, Beck, Nealey, Spanel, D. Sommers, Bowman, Zellinsky, R. King, Prince, McLean, Rasmussen, Belcher, Scott, Haugen, R. Johnson, Dellwo, Hargrove, Winsley, Day, Grant, Wilson, Jacobsen, Chandler, P. Johnson, Casada, Horn, Sheldon, Paris, Lisk, Moyer and Sprenkle

AN ACT Relating to the state board of education; amending RCW 28A.305.130, 28A.305.240, 28A.305.250, and 28A.410.040; and repealing RCW 28A.410.050.

Referred to Committee on Education.

HB 1171 by Representatives Cole, Holland, Peery, Brumsickle, G. Fisher, Phillips, Valle, Jones, P. Johnson, Jacobsen, Winsley, Pruitt, H. Myers, Ogden, Wood, Former, R. Johnson, Day, Spanel, Leonard, Broback, Paris, Rust, Scott, Haugen, Hine, Cantwell, Basich, Betzoff, Wynne, Miller, Bowman, Moyer, Fraser, O'Brien, Wineberry, Sprengle and Anderson; by request of Task Force on Student Transportation Safety

AN ACT Relating to school pedestrian safety; adding a new section to chapter 28A.230 RCW; creating a new section; and making appropriations.

Referred to Committees on Education/Appropriations.

HB 1172 by Representatives Holland, Cole, Peery, Brumsickle, G. Fisher, Valle, Brough, Phillips, Rasmussen, Jones, Dorn, P. Johnson, Jacobsen, Winsley, R. King, Pruitt, H. Myers, Ogden, Wood, Vance, Sheldon, Day, Spanel, Leonard, Paris, Rust, Scott, Haugen, Mitchell, Hine, Cantwell, Wynne, Nealey, Miller, Bowman, Moyer, Fraser, O'Brien, Sprengle, Orr and Tate; by request of Task Force on Student Transportation Safety

AN ACT Relating to student pedestrian safety; amending RCW 58.17.110 and 82.02.090; adding new sections to chapter 28A.160; creating a new section; making appropriations; and providing an expiration date.

Referred to Committees on Education/Transportation.

HB 1173 by Representatives Cole, Holland, Peery, Brumsickle, G. Fisher, Phillips, Jones, Rasmussen, P. Johnson, Winsley, R. King, Pruitt, Wilson, H. Myers, Ogden, Wood, R. Johnson, Vance, Sheldon, Day, Spanel, Leonard, Broback, Paris, Rust, Scott, Haugen, Hine, Cantwell, Betzoff, Wynne, Nealey, Miller, Bowman, Moyer, Fraser, O'Brien, Sprengle and Orr; by request of Task Force on Student Transportation Safety

AN ACT Relating to student transportation; adding a new section to chapter 46.37 RCW; creating new sections; and making appropriations.

Referred to Committees on Education/Appropriations.

HB 1174 by Representatives Holland, Cole, Peery, Brumsickle, G. Fisher, Brough, Valle, Rasmussen, Phillips, Jones, Dorn, P. Johnson, Padden, Appelwick, Jacobsen, Winsley, Pruitt, Inslee, Ogden, Ballard, Wood, R. Johnson, Vance, Sheldon, Day, Spanel, Leonard,

Broback, Paris, Rust, Scott, Haugen, Hinc, Cantwell, Rayburn, Edmondson, Basich, Mitchell, Betrozoff, Nealey, Miller, Bowman, Moyer, Fraser, O'Brien, Sprenkle, Tate and McLean; by request of Task Force on Student Transportation Safety

AN ACT Relating to transportation safety; adding new sections to chapter 46.61 RCW; creating a new section; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 1175 by Representatives Holland, Forner, Fuhrman, Cantwell and Miller

AN ACT Relating to safety in school plant facilities; amending RCW 28A.525.200; and adding a new section to chapter 28A.525 RCW.

Referred to Committees on Education/Capital Facilities & Financing.

HB 1176 by Representatives Leonard, Holland, Peery, Brough, Cole, Forner, Rayburn, Vance, Brumsickle, Jones, Miller, Fuhrman, Phillips, Winsley, Paris and Betrozoff

AN ACT Relating to school districts' boards of directors; and amending RCW 28A.315.530.

Referred to Committee on Education.

HB 1177 by Representatives Holland, Leonard, Peery, Brough, Jones and Winsley

AN ACT Relating to school district boards of directors; and amending RCW 28A.150.230.

Referred to Committee on Education.

HB 1178 by Representatives Holland, H. Sommers, Brough, Peery, Phillips, Cole, Miller, Rust, Ballard, Rayburn, Jacobsen, Rasmussen, Morris, Paris, Basich, Betrozoff, Nealey, Fraser and Brekke

AN ACT Relating to a dedicated revenue source for financing public school and higher education construction; amending RCW 82.08.0293 and 82.12.0293; adding a new section to chapter 82.32 RCW; making appropriations; providing an effective date; and declaring an emergency.

Referred to Committee on Capital Facilities & Financing.

HB 1179 by Representatives Vance, Holland, Peery, Brough, Cole, Miller, Phillips, Ballard, Rust, Brumsickle, Rayburn, Silver, May, Fuhrman, Hine, Jacobsen, R. King, Sheldon, Paris, Betrozoff, Bowman, Wineberry and G. Fisher

AN ACT Relating to school buses; creating a new section; and making an appropriation.

Referred to Committee on Energy & Utilities.

### MOTION

On motion of Mr. Ebersole, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker called the House to order.

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

### RESOLUTION

HOUSE RESOLUTION NO. 91-4605, by Representatives Ebersole and Ballard

BE IT RESOLVED, That pursuant to the recommendation of the House Rules Committee adopted on January 21, 1991, the Temporary Rules of the House of Representatives adopted in HFR 4600 on January 14, 1991, are adopted as the Permanent Rules of the House of Representatives for the 52nd Legislature with the following amendment:

On page 3 of the Temporary Rules, strike the last sentence of Rule 4(G).

Mr. Ebersole moved adoption of the resolution.

Ms. Miller moved adoption of the following amendments:

On page 1, after line 7, insert:

On page 8 of the Temporary Rules, Rule 15(A)(1), after "under the" insert "sixth  
or"

On page 16 of the Temporary Rules, Rule 25(D)(2), after "under the" insert "sixth  
or"

Ms. Miller spoke in favor of adoption of the amendments, and Mr. Ebersole spoke against them. The amendments were not adopted.

Ms. Miller moved adoption of the following amendments:

On page 1, after line 7, insert:

On page 16 of the Temporary Rules, Rule 25, after subsection (8) insert:

"(9) No bill may be placed on final passage in the house unless the bill, or another bill of substantially similar effect, shall have had at least one public hearing before a committee of the house."

Ms. Miller spoke in favor of adoption of the amendment, and Mr. Ebersole spoke against it.

Mr. Tate demanded an electric roll call vote, and the demand was sustained.

### ROLL CALL

The Clerk called the roll on adoption of the amendment on page 1, after line 7, by Representative Miller to House Resolution No. 91-4605, and the amendment was not adopted by the following vote: Yeas - 40, Nays - 55, Absent - 1, Excused - 2.

Voting yea: Representatives Ballard, Beck, Betrozoff, Bowman, Broback, Brough, Brumsickle, Casada, Chandler, Edmondson, Ferguson, Forner, Fuhrman, Hochstatter, Holland, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Paris, Prince, Schmidt, Silver, Sommers, D., Tate, Vance, Van Luven, Wilson, Winsley, Wood, Wynne - 40.

Voting nay: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kremen, Leonard, Ludwig, Meyers, R., Morris, Myers, H., Nelson, Ogden, Orr, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Sprengle, Valle, Wineberry, Zellinsky, and Mr. Speaker - 55.

Absent: Representative O'Brien - 01.

Excused: Representatives Locke, Wang - 02.

Mr. Ebersole spoke in favor of adoption of the resolution, and Ms. Miller spoke against it.

House Resolution No. 91-4605 was adopted.

### RESOLUTION

HOUSE RESOLUTION NO. 91-4606, by Representatives Wineberry, Miller, Franklin, Anderson, Ebersole, Brough, Locke, Chandler, Appelwick, Tate, R. Meyers, Paris, H. Myers, Bowman, Cole, Mielke, Rasmussen, Padden, Cantwell, Hine, Valle, Dorn, Spanel, Ludwig, Hargrove, Jacobsen, R. Fisher, Pruitt, Inslee, Ogden, Roland, R. Johnson, Leonard, Rust, R. King, Scott, Jones, Zellinsky, O'Brien, Phillips, Basich, Fraser, Brekke, Sprengle, Orr and Ferguson

WHEREAS, January 21, 1991, is the observance of Dr. Martin Luther King, Jr.'s birthday as both a federal holiday and Washington state legal holiday; and

WHEREAS, We, the members of the House of Representatives, are honored to pay tribute to what would have been the 62nd birthday of Reverend Dr. Martin Luther King, Jr., who set an example of world leadership for all of us to follow; and

WHEREAS, The Reverend Martin Luther King, Jr. demonstrated his love of mankind by devoting his life to fighting discrimination and violence and by endeavoring to help all human beings live in freedom and with dignity; and

WHEREAS, Dr. King was internationally acclaimed and awarded the Nobel Peace Prize in recognition of his leadership in and dedication to achieving economic, educational, and social equality for all persons; and

WHEREAS, This nobel laureate by his memory continually reminds us to fulfill his dream, a dream depicting a world of human equality and global peace; and

WHEREAS, During these days with our nation at war, Dr. King's message of world peace is needed now more than ever; and

WHEREAS, This great American champion of the oppressed was assassinated while espousing his principles of pacifism and the assassination deeply grieved every citizen of this nation; and

WHEREAS, The Congress of the United States has honored Dr. King by creating a permanent federal holiday to commemorate the anniversary of his birth; and

WHEREAS, The Washington State Legislature has seen fit to honor this man as has the Congress and other states by declaring his birthday a legal, paid state and school holiday; and

WHEREAS, We urge Washington's corporate and business community to join the nation and our state in officially commemorating the holiday;

NOW, THEREFORE, BE IT RESOLVED, That on this day, we, the members of the House of Representatives of the State of Washington, pause in our endeavors to pay homage to one of America's most honorable and honored citizens, the Reverend Dr. Martin Luther King, Jr., in order to call to the attention of all Washingtonians Dr. King's wisdom and accomplishments and to rededicate ourselves to the pursuit of his principles; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit a copy of this resolution to the various organizations throughout the state which are dedicated to the achievement of racial equality.

Mr. Wineberry moved adoption of the resolution. Representatives Wineberry, Prentice, Paris, Moyer, Ferguson and Hine spoke in favor of the resolution.

House Resolution No. 91-4606 was adopted.

#### MOTIONS

On motion of Mr. Ebersole, House Bill No. 1095 was referred from Committee on Judiciary to Committee on Financial Institutions.

On motion of Mr. Ebersole, House Bill No. 1105 was referred from Committee on Judiciary to Committee on Revenue.

On motion of Mr. Ebersole, House Bill No. 1107 was referred from Committee on Revenue to Committee on Local Government.

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

## MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Wednesday, January 23, 1991.

ALAN THOMPSON, Chief Clerk

JOSEPH E. KING, Speaker

## TENTH DAY

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## MORNING SESSION

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House Chamber, Olympia, Wednesday, January 23, 1991

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Appelwick, Basich, Belcher, Brekke, Cole and G. Fisher. On motion of Mr. Bray, Representatives Appelwick and Cole were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Matt Cavanaugh and Troung Hoang. Prayer was offered by The Reverend Hilton Jarvis of the Lacey Baptist Chapel.

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

## MESSAGE FROM THE SENATE

January 21, 1991

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4402,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

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

## INTRODUCTIONS AND FIRST READING

HB 1180 by Representatives Cole, Heavey, Jacobsen, R. King, Zellinsky, Jones, Prentice, Vance, Rayburn, Franklin, Scott, Wood, Bowman, Neher, Winsley, D. Sommers, Paris, Van Luven, Fomer, Edmondson, Miller, Appelwick and Brekke

AN ACT Relating to licensing private security guards; adding a new section to chapter 43.101 RCW; adding a new chapter to Title 18 RCW; prescribing penalties; making appropriations; and providing an effective date.

Referred to Committees on Commerce & Labor/Appropriations.

HB 1181 by Representatives Cole, Heavey, Jacobsen, R. King, Zellinsky, Jones, Prentice, Vance, Rayburn, Franklin, Scott, Wood, Bowman, Neher, Van Luven, Appelwick and Riley

AN ACT Relating to private detective agencies and private detectives; adding a new section to chapter 43.101 RCW; adding a new chapter to Title 18 RCW; prescribing penalties; making appropriations; and providing an effective date.

Referred to Committees on Commerce & Labor/Appropriations.

HB 1182 by Representatives Wineberry, Padden, Van Luven, Riley, Orr and Rasmussen

AN ACT Relating to motor vehicles; amending RCW 7.68.035, 46.16.710, 46.20.021, 46.20.207, 46.20.291, 46.65.020, 46.90.300, and 46.90.300; reenacting and amending RCW 46.20.342; repealing RCW 46.29.625 and 46.65.090; prescribing penalties; and providing an effective date.

Referred to Committee on Judiciary.

HB 1183 by Representatives Ludwig, Wynne, Orr and Rasmussen

AN ACT Relating to driving violations; amending RCW 46.61.525; adding a new section to chapter 46.61 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1184 by Representatives Paris, D. Sommers, Wilson, Fuhrman, Broback, May, Van Luven, Bowman, Edmondson, Miller, Morton, Horn, Wood, Wynne, Betzoff, Moyer and Tate

AN ACT Relating to mandatory liability insurance; amending RCW 46.30.020 and 46.30.040; and prescribing penalties.

Referred to Committee on Financial Institutions & Insurance.

HB 1185 by Representatives Appelwick, Paris and Wineberry

AN ACT Relating to the recording of federal liens; amending RCW 60.68.015, 60.68.035, and 60.68.045; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1186 by Representatives Appelwick, Ludwig, Paris, Wineberry, Scott and Riley

AN ACT Relating to uniform criminal penalties; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 36.01 RCW.

Referred to Committee on Judiciary.

HB 1187 by Representatives Ludwig, Locke, Wineberry, Riley and G. Fisher

AN ACT Relating to increasing stolen property values for determining degree of theft; amending RCW 9A.56.010, 9A.56.030, 9A.56.040, 9A.56.050, 9A.56.060, 9A.56.150, 9A.56.160, and 9A.56.170; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1188 by Representatives Appelwick and Paris

AN ACT Relating to the Uniform Commercial Code--Bulk Sales; adding a new chapter to Title 62A RCW; and repealing RCW 62A.6-101, 62A.6-102, 62A.6-103, 62A.6-104, 62A.6-105, 62A.6-106, 62A.6-107, 62A.6-108, 62A.6-109, 62A.6-110, and 62A.6-111.

Referred to Committee on Judiciary.

HB 1189 by Representatives Ludwig, Locke, Padden, Riley, Inslee, Paris, Mielke, Scott, H. Myers, R. Meyers and Orr

AN ACT Relating to misdemeanors; amending RCW 10.05.140, 10.05.170, 10.64.120, and 10.01.160; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1190 by Representatives Appelwick, Paris and Padden

AN ACT Relating to courts; amending RCW 4.84.130, 4.84.250, 3.66.020, and 2.08.010; adding a new section to chapter 3.66 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1191 by Representatives Ogden, Jacobsen, Roland, Prentice, Wood, Edmondson, Fraser, Franklin, H. Myers, Ferguson, Winsley, D. Sommers, Paris, Bowman, Forner, Rayburn, Dellwo, Jones, Wynne, R. Johnson, Riley, Scott, Moyer, Phillips, Brekke, Basich, Spanel, Mitchell, Leonard and Anderson.

AN ACT Relating to higher education; and amending RCW 28B.15.820.

Referred to Committee on Higher Education.

HB 1192 by Representatives Ogden, Jacobsen, Prentice, Wood, Fraser, H. Myers, Winsley, Paris, Van Luven, Dellwo, Jones, Wang, Roland, R. Johnson, Riley, Scott, Phillips, Brekke, Inslee, Spanel, Leonard and Anderson

AN ACT Relating to single parents in higher education; creating new sections; making an appropriation; providing an expiration date; and declaring an emergency.

Referred to Committees on Higher Education/Appropriations.

HB 1193 by Representatives Zellinsky, Franklin, Nealey, Haugen, Bray, Wynne, Cooper, Rayburn, Winsley, R. Meyers and Scott

AN ACT Relating to fire commissioners serving as volunteer fire fighters; and amending RCW 52.14.010.

Referred to Committee on Local Government.

HB 1194 by Representatives Zellinsky, Wynne, Cooper, Rayburn, Roland, Wood, Edmondson, Mitchell, Nealey, Bray, Franklin and Haugen

AN ACT Relating to special districts; amending RCW 85.38.010, 85.05.015, 86.09.377, 85.38.100, 85.24.250, 85.38.040, 85.38.050, 85.38.060, 85.38.070, 85.38.090, 85.38.110, 85.38.120, 85.38.130, and 85.38.180; adding new sections to chapter 85.38 RCW; adding a new section to chapter 85.08 RCW; recodifying RCW 85.05.015; and repealing RCW 85.24.210.

Referred to Committee on Local Government.

HB 1195 by Representatives Bray, Ferguson, Nealey, Rayburn, Haugen, Ludwig, Grant, Neher and Wynne

AN ACT Relating to irrigation districts; and adding a new section to chapter 87.03 RCW.

Referred to Committee on Local Government.

HB 1196 by Representatives Bray, Neher, Jacobsen, Ludwig, Grant, Nealey, Rayburn, Inslee and G. Fisher

AN ACT Relating to the Washington state center for environmental and molecular sciences; and creating new sections.

Referred to Committee on Higher Education.

HB 1197 by Representatives Phillips, Wineberry, Silver, Heavey, Brough, Wang, Holland, Zellinsky, Leonard, Prentice, Ludwig, Roland, Cooper, Anderson, R. Fisher, Schmidt, Cole, Brekke, Morris, Bray, Winsley, Paris, May, Bowman, Forner, Edmondson, Vance, Dellwo, Wynne, O'Brien, Jacobsen, Orr, Basich, Mitchell and Ogden

AN ACT Relating to security in schools; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 1198 by Representatives Hine, G. Fisher, Holland, Former, Prentice, Spanel, Valle, Heavey, R. Johnson and Leonard

AN ACT Relating to the location of electrical facilities; amending RCW 80.32.010; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 36.32 RCW.

Referred to Committee on Local Government.

HB 1199 by Representatives Haugen, Ferguson, Cooper, Nealey, Appelwick, Wang, Horn, Prince and Scott

AN ACT Relating to local law and justice planning; amending RCW 72.09.300; and adding a new section to chapter 36.28A RCW.

Referred to Committee on Local Government.

HB 1200 by Representatives Morris, Brough, Anderson, Brumsickle, Hine, Prentice, Fraser, Ebersole, Cole, Pruitt, Jacobsen, Prince, Belcher, Peery, Cooper, Wang, Cantwell, Day, Brekke, Winsley, Edmondson, R. Johnson, Padden, R. King, Nelson and Spanel

AN ACT Relating to physical therapists; amending RCW 18.74.010, 18.74.012, and 18.74.023; repealing section 17, chapter 297, Laws of 1990; repealing section 18, chapter 297, Laws of 1990 (uncodified); providing effective dates; and declaring an emergency.

Referred to Committee on Health Care.

HB 1201 by Representatives Cooper, Wood, Rayburn, Edmondson, Franklin, Haugen, Nealey, Zellinsky, Wynne, Bray, Mitchell, Roland and Ferguson

AN ACT Relating to local government; amending RCW 2.32.180, 2.32.280, 3.30.020, 8.04.080, 9.73.220, 13.04.035, 13.04.093, 13.20.010, 13.20.060, 13.70.005, 19.27.160, 26.12.050, 27.24.062, 27.24.068, 28A.315.450, 28A.315.460, 28A.315.580, 28A.315.590, 28A.315.600, 28A.315.610, 28A.315.620, 28A.315.630, 29.13.060, 29.30.060, 29.42.050, 29.42.070, 29.82.060, 35.21.010, 35.21.422, 35.58.040, 35.58.273, 35.81.010, 35.82.285, 36.13.020, 36.13.100, 36.16.030, 36.16.030, 36.16.032, 36.16.050, 36.17.020, 36.24.175, 36.27.060, 36.32.240, 36.33.060, 36.33.065, 36.56.010, 36.57A.020, 36.58.030, 36.58.100, 36.64.070, 36.69.010, 36.78.020, 36.80.010, 36.93.030, 36.93.040, 36.93.051, 36.93.061, 36.93.063, 36.93.100, 36.95.020, 40.04.100, 41.14.065, 41.14.070, 41.14.210, 41.28.020, 43.99C.045, 53.12.010, 53.12.020, 53.12.035, 53.12.035, 53.31.020, 54.16.180, 56.04.120, 57.90.010, 67.28.090, 67.28.180, 67.28.240, 70.54.180, 70.94.055, 71.05.135, 74.20.210, 79.08.170, 81.100.030, 81.100.060, 81.104.030, 81.104.040, 81.104.140, 82.44.150, 87.19.020, and 88.32.230; reenacting and amending RCW 28A.315.670, 28A.315.680, 70.94.053, 82.14.045, and 53.31.911; creating a new section; repealing RCW 53.31.010, 53.31.020, 53.31.030, 53.31.040, 53.31.050, 53.31.060, 29.13.025, 36.13.010, 36.13.075, 36.13.080, 36.13.090,

36.93.920, 53.12.040, 53.12.044, 53.12.055, 53.12.160, and 53.12.210; providing effective dates; and providing expiration dates.

Referred to Committee on Local Government.

HB 1202 by Representatives Riley, Ludwig, Winsley, Forner, Bray, Wood, Jones, R. Johnson, Jacobsen, Scott, Neher, Schmidt, Sheldon, Phillips, Orr, Basich, Leonard and Anderson; by request of Washington State Patrol

AN ACT Relating to firearms in state capitol buildings; adding a new section to chapter 9.41 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1203 by Representatives R. King and Fuhrman; by request of Department of Licensing

AN ACT Relating to landscape architects; amending RCW 18.96.040, 18.96.080, 18.96.090, 18.96.100, and 18.96.150; and reenacting and amending RCW 18.96.110.

Referred to Committee on Commerce & Labor.

HB 1204 by Representatives Riley, Beck, Fraser, Wynne, Winsley and Jacobsen

AN ACT Relating to natural resources conservation areas; amending RCW 79.71.010, 79.71.020, 79.71.030, 79.71.050, 79.71.060, 79.71.070, 79.71.080, 79.71.090, and 43.84.090; creating a new section; and repealing RCW 79.71.110.

Referred to Committee on Natural Resources & Parks.

HB 1205 by Representatives Belcher, Beck, Scott, Broback, Hargrove, H. Sommers, Bowman, Silver, H. Myers, R. Meyers, Winsley, Edmondson, Wynne and Basich; by request of Department of Natural Resources

AN ACT Relating to forest fires; amending RCW 76.04.495 and 76.04.015; and adding a new section to chapter 76.04 RCW.

Referred to Committee on Natural Resources & Parks.

HB 1206 by Representatives Jones, Fuhrman, R. King and Winsley; by request of Department of Labor & Industries

AN ACT Relating to industrial insurance payments; and amending RCW 51.32.240 and 51.32.050.

Referred to Committee on Commerce & Labor.

HB 1207 by Representatives Cole, Fuhrman, Jones, R. King and Winsley; by request of Department of Labor & Industries

AN ACT Relating to contractor registration requirements; and amending RCW 18.27.010 and 18.27.030.

Referred to Committee on Commerce & Labor.

HB 1208 by Representatives Belcher, Hargrove, Jones, Beck, Winsley, Nealey, R. King and Haugen; by request of Department of Corrections

AN ACT Relating to authorizing a compact with adjacent states concerning jurisdiction over inmates while outside the state of conviction; and adding a new section to chapter 72.64 RCW.

Referred to Committee on Human Services.

HB 1209 by Representatives Sheldon and P. Johnson

AN ACT Relating to elections; adding a new section to chapter 29.04 RCW; adding a new section to chapter 29.15 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on State Government.

HB 1210 by Representatives Ferguson, Beck, Winsley, Hochstatter, Broback, Fuhrman, Moyer, Paris, D. Sommers, Morton, Wilson, Nealey and Betrozoff

AN ACT Relating to limiting the terms of elective officials; amending RCW 43.01.010 and 44.04.021; adding a new section to chapter 29.68 RCW; and creating a new section.

Referred to Committee on State Government.

HB 1211 by Representatives Belcher, Hine, Silver, G. Fisher, Fraser, Winsley, Padden and Phillips

AN ACT Relating to the assignment of retirement benefits; amending RCW 41.50.500, 41.50.510, 41.50.530, 41.50.540, 41.50.550, 41.50.560, 41.50.580, 41.50.590, 41.50.600, 41.50.620, 41.50.630, 41.50.650, 2.10.180, 2.12.090, 41.26.180, 41.32.590, 41.40.380, 43.43.310, 26.09.138, 6.27.150, 41.40.270, 41.40.700, 41.32.520, 41.32.805, 41.26.510, and 43.43.280; adding new sections to chapter 41.50 RCW; and making an appropriation.

Referred to Committee on Judiciary.

HB 1212 by Representatives Peery, Brough, Ebersole, Vance, Winsley, Betrozoff, Pruitt and Orr

AN ACT Relating to school district competitive bidding; and amending RCW 28A.335.190.

Referred to Committee on Education.

HB 1213 by Representatives Betrozoff, Brumsickle, Peery, Brough, G. Fisher, Broback, Vance, Winsley, D. Sommers, Paris, May, Bowman, Miller, Horn, Wood, Wynne, Moyer, Basich and Tate

AN ACT Relating to quality schools; amending RCW 28A.630.075; adding new sections to chapter 28A.630 RCW; creating a new section; and making appropriations.

Referred to Committees on Education/Appropriations.

HB 1214 by Representatives Anderson, Spanel, Fraser, R. Johnson and Riley

AN ACT Relating to state employees; and amending RCW 41.04.340.

Referred to Committees on State Government/Appropriations.

HB 1215 by Representatives H. Sommers, Peery, Brough, Cole, Holland, Valle, Miller, Neher, Phillips, Rust, Dorn, Rasmussen, Orr, Spanel, Vance, Paris, Forner, R. Johnson, Jacobsen, Nelson, Leonard and Anderson

AN ACT Relating to excess school levies; amending RCW 84.52.053; and providing a contingent effective date.

Referred to Committee on Education.

HB 1216 by Representatives H. Sommers, Brough, R. Fisher, R. Meyers, Wilson, Anderson, Winsley, Pruitt, Bowman, Heavey, Ogden, Forner, Cantwell, Ferguson, Ebersole, Zellinsky, Haugen, Vance, Tate, Sprenkle, Paris and G. Fisher

AN ACT Relating to membership qualification for the transportation commission; and amending RCW 47.01.051.

Referred to Committee on Transportation.

HB 1217 by Representatives Wineberry, McLean, Dellwo, Jones, Wang, Riley, Pruitt and Anderson

AN ACT Relating to elections; amending RCW 29.07.160; and adding a new section to chapter 29.07 RCW.

Referred to Committee on State Government.

HB 1218 by Representatives Jacobsen, Wood, Ogden, Miller, Nelson, Basich, Anderson, Winsley and Dellwo

AN ACT Relating to the governing board of the state's higher education institutes; amending RCW 28B.20.100, 28B.30.100, and 28B.35.100; and providing an effective date.

Referred to Committee on Higher Education.

HB 1219 by Representatives Brumsickle, Peery, Holland, Cole, P. Johnson, Betrozoff, Vance, G. Fisher, Neher, Rasmussen, Broback, Dorn, Ferguson, Winsley, D. Sommers, Fuhrman, Van Luven, Mielke, Wood, Jones, Jacobsen, Padden, Pruitt, Basich, Inslee, Leonard and Cooper

AN ACT Relating to pension payments to retired teachers; amending RCW 41.32.570; and creating a new section.

Referred to Committee on Appropriations.

HB 1220 by Representatives Peery, Brough, Betrozoff, G. Fisher, Winsley, Paris, Horn and Orr

AN ACT Relating to general fund apportionments to school districts; and amending RCW 28A.510.250.

Referred to Committee on Education.

HB 1221 by Representatives Peery, Brough, Brumsickle, G. Fisher, Betrozoff, Holland, Paris, Broback and Orr

AN ACT Relating to the Washington state school directors' association; and amending RCW 28A.345.030.

Referred to Committee on Education.

HB 1222 by Representatives Betrozoff, Peery, Brumsickle, G. Fisher, Brough, Holland, Paris, Broback, Nealey and Orr

AN ACT Relating to school district directors' districts; amending RCW 28A.315.110, 28A.315.590, 28A.315.670, and 28A.315.680; adding a new section to chapter 28A.315 RCW; repealing RCW 28A.315.685; and declaring an emergency.

Referred to Committee on Education.

HB 1223 by Representatives Peery, G. Fisher, Holland, Zellinsky, Dellwo, Jones, R. Johnson, Scott, Pruitt, Phillips, Basich, Spanel and Ogden

AN ACT Relating to an educational employees' compensation policy; adding new sections to chapter 28A.400 RCW; and creating a new section.

Referred to Committees on Education/Appropriations.

HB 1224 by Representatives H. Sommers, Brough, G. Fisher and Phillips

AN ACT Relating to school district indebtedness; amending RCW 28A.160.130 and 28A.530.010; and adding a new section to chapter 28A.530 RCW.

Referred to Committee on Education.

HB 1225 by Representatives Winsley, Wang, Ballard, Leonard, Nelson, Ebersole, Mitchell, Franklin, Heavey, D. Sommers, Paris, Broback, May, Bowman, Brough, Edmondson, Dellwo, Wood, Jones, Wynne, Scott, Jacobsen, Fraser, Moyer, Phillips, Brekke and Rasmussen

AN ACT Relating to the classification and valuation of multiple-unit buildings devoted primarily to low-income housing and of mobile home parks at current use value; amending RCW 42.17.310; adding a new chapter to Title 84 RCW; and providing a contingent effective date.

Referred to Committees on Housing/Revenue.

HB 1226 by Representatives Prentice, Wood, Franklin, Braddock, May, Brekke, Leonard, Belcher, Day, Brough, R. Meyers, Morris, Pruitt, Silver, D. Sommers, Dellwo, Jones, Riley, Scott, Sheldon, Phillips, Orr, Basich, Ogden and Cantwell

AN ACT Relating to nursing homes; amending RCW 74.46.620; and adding a new section to chapter 74.42 RCW.

Referred to Committees on Health Care/Appropriations.

HB 1227 by Representatives Dellwo, Schmidt, Zellinsky, Broback, Inslee, Winsley, Paris, Bowman, Ludwig, Wang, Nealey, Roland, R. Johnson, Scott, Pruitt, Phillips and Basich; by request of Attorney General

AN ACT Relating to the regulation of promotional advertising of prizes; amending RCW 19.105.365 and 64.36.320; creating a new chapter in Title 19 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 1228 by Representatives Brumsickle, Wang, Holland and Paris; by request of Office of Financial Management

AN ACT Relating to the management of state government receivables; amending RCW 43.88.175; adding a new section to chapter 43.17 RCW; and adding a new section to Title 43 RCW.

Referred to Committee on Revenue.

HB 1229 by Representatives Fraser, Prince, Jacobsen, Belcher, Sheldon, Ogden, Moyer, Ludwig, Morris, Brekke, Spanel and Rasmussen

AN ACT Relating to mental health practitioners' loan repayment program; adding a new chapter to Title 28B RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1230 by Representatives Fraser, Prince, Jacobsen, Belcher, Sheldon, Ogden, Moyer, Ludwig, Morris, Winsley, Dellwo and Spanel

AN ACT Relating to mental health practitioners' conditional scholarship program; adding a new chapter to Title 28B RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1231 by Representatives R. Fisher, R. Meyers, Betrozoff and Paris; by request of Office of Financial Management

AN ACT Relating to transportation appropriations; making appropriations; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 1232 by Representatives Cole, Heavey, Nelson, Brekke and Anderson

AN ACT Relating to exempting microbreweries from any rule requiring the labeling of beer containers to reflect alcohol content; and amending RCW 66.08.030.

Referred to Committee on Commerce & Labor.

HB 1233 by Representatives Zellinsky, Wilson, R. Fisher, Betrozoff, R. Meyers, Prentice, R. Johnson, P. Johnson, Fomer, Schmidt, Horn and Haugen

AN ACT Relating to treasurer-managed funds and accounts; amending RCW 70.39.170, 18.08.240, 43.79.330, 43.51.280, 40.14.025, 43.51.310, 43.140.030, 28B.14D.040, 46.10.075, 72.72.030, 43.79.350, 43.01.050, 67.40.040, 28B.10.821, 43.88.525, 58.24.060, 82.14.200, 82.14.210, 18.72.390, 43.70.320, 18.04.105,

43.79.445, 47.76.030, 43.51.200, 86.26.007, 43.08.250, 84.33.041, 43.31A.400, 70.94.656, 18.43.150, 75.52.140, 51.44.170, 43.33A.160, 43.83B.360, 82.14.050, 42.16.011, 43.19.610, 27.34.090, 82.42.090, 47.68.236, 79.64.055, 43.79.201, 70.93.180, 46.08.172, 43.99.040, 43.83A.030, 43.99F.030, 28B.10.851, 43.83.020, 28B.30.730, 28B.57.050, 43.99.060, 43.83B.030, 43.83C.030, 43.83D.030, 43.83H.030, 43.84.092, 28A.515.320, 28A.550.010, 50.16.010, 43.200.080, 70.164.030, 79.90.555, 70.94.483, 47.78.010, 22.09.411, 70.47.030, 70.105D.070, 2.14.070, 70.170.080, 90.76.100, 70.95.800, 59.21.050, 70.95E.080, 28B.30.741, 28B.30.742, 28B.20.810, 28B.14C.060, 43.79A.020, 43.79A.040, 43.08.190, 28C.10.082, 43.250.030, 43.185.030, 28B.10.882, 59.22.030, 70.148.020, 4.92.220, 4.92.130, 41.40.080, 43.84.051, 43.79.130, 28B.35.751, 43.79.110, 28B.20.800, 28B.10.868, 42.26.010, 41.05.120, 90.50A.020, 2.14.080, 46.68.210, 81.100.070, 28B.20.468, 28B.108.050, 28B.50.837, 41.26.070, 28B.108.060, 41.48.065, 41.48.060, 2.10.080, and 43.160.080; reenacting and amending RCW 74.18.230, 76.04.630, 28B.50.360, 28B.35.370, 70.146.030, 90.48.390, 41.24.030, 41.04.260, and 74.18.230; repealing RCW 43.84.090, 43.185.040, 46.09.290, 70.48.120, 43.31.958, 43.99C.040, 27.60.060, 28B.31.040, 75.48.030, 28B.56.030, 43.83I.166, 36.22.180, and 43.79.415; providing an effective date; and declaring an emergency.

Referred to Committee on Revenue.

HB 1234 by Representatives Anderson, Miller, Appelwick, Wineberry, Paris, Scott, Hargrove, Ludwig, D. Sommers, Broback, R. Meyers, Belcher, Prince, H. Myers, Riley, Locke, Forner, Ballard, Ferguson, Horn, Dellwo, Wang, Roland, R. Johnson, O'Brien, Jacobsen, R. Fisher, Phillips, Ogden, Rasmussen, Leonard and Cooper

AN ACT Relating to imposing the death penalty upon the mentally retarded; and amending RCW 10.95.030, 10.95.070, 10.95.130, and 10.95.140.

Referred to Committee on Judiciary.

HB 1235 by Representatives Jacobsen, R. Fisher, Belcher, Brekke, R. King and Spanel

AN ACT Relating to library services provided by the state institutions of higher education; adding a new section to chapter 28B.85 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1236 by Representatives Valle and Cole

AN ACT Relating to student assessment; creating new sections; and making an appropriation.

Referred to Committee on Education.

HB 1237 by Representatives Day, Ballard, Prentice, Ferguson, Cantwell, Paris, Rayburn, Nealey, Padden, Orr and Rasmussen

AN ACT Relating to veterinary medicine; and amending RCW 18.92.010.

Referred to Committee on Agriculture & Rural Development.

HB 1238 by Representatives Heavey, Fuhrman, Jacobsen, Winsley, D. Sommers, Paris, Bowman, Miller, Vance, Wynne, Moyer and Anderson

AN ACT Relating to a code of ethics for industrial appeals judges; adding a new section to chapter 51.52 RCW; and adding a new section to chapter 42.18 RCW.

Referred to Committee on Commerce & Labor.

HB 1239 by Representatives Heavey, Moyer, Hargrove, Dellwo, Nelson, Wood, Betzoff, Haugen, Horn, Rasmussen, Padden, Riley, Leonard, Cole, Prentice, Fuhrman, Jacobsen, Paris, Nealey, Pruitt, Brekke and Spanel

AN ACT Relating to restricting liquor advertising on television; amending RCW 66.08.060; adding new sections to chapter 66.08 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1240 by Representatives Heavey, Cole, Jacobsen, Jones, Roland, Riley, Scott, Orr, Basich, G. Fisher, R. Meyers, Ogden and Rasmussen

AN ACT Relating to property tax exemptions for retired persons; amending RCW 84.36.381, 84.36.385, and 84.38.100; and adding a new section to chapter 84.36 RCW.

Referred to Committee on Revenue.

HB 1241 by Representatives Heavey, Cole, Jacobsen, Wang, Jones, R. Meyers, Appelwick, Fraser, Phillips and Cantwell

AN ACT Relating to construction liens; and adding a new section to chapter 60.04 RCW.

Referred to Committee on Commerce & Labor.

HB 1242 by Representatives Dellwo, Paris, Braddock, Edmondson and Anderson

AN ACT Relating to utilization review of health care benefits; adding new sections to chapter 48.42 RCW; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 1243 by Representatives Fuhrman, G. Fisher, Wood, Brekke, Neher, Cole, Silver, Jones, Holland, Peery, Fraser, Brumsickle, Bowman, Moyer, May, Dorn, Pruitt, Belcher, Valle, Heavey, McLean, Chandler, Ferguson, Hochstatter, Padden, Brough, Paris, Winsley, Morton, Mielke, Rayburn, Vance, Forner, P. Johnson, Wynne, Betrozoff, Hargrove, Van Luven, D. Sommers, Edmondson, Miller, Bray, Basich, Mitchell and Tate

AN ACT Relating to teacher preparation programs; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 28A.305 RCW; and creating a new section.

Referred to Committee on Education.

HB 1244 by Representatives Heavey, Cole, R. King, Winsley, Jones, Prentice, O'Brien, R. Meyers, Ebersole and Rasmussen

AN ACT Relating to employers' payment of industrial insurance premiums and unemployment compensation contributions; and creating a new section.

Referred to Committee on Commerce & Labor.

HB 1245 by Representatives Heavey, Cole, R. King, Winsley, Jones, Prentice, O'Brien, R. Meyers and Ebersole

AN ACT Relating to public contracts; adding a new section to chapter 39.04 RCW; creating a new section; and repealing RCW 43.82.015.

Referred to Committee on Commerce & Labor.

HB 1246 by Representatives R. King, Winsley, Jones, Ebersole, Prentice, O'Brien, R. Meyers, Scott and Phillips

AN ACT Relating to prevailing wages on public works projects; amending RCW 39.12.042; and creating a new section.

Referred to Committee on Commerce & Labor.

HB 1247 by Representatives Prince, Ferguson, Wynne, Jacobsen and Basich

AN ACT Relating to advance notice of political advertising; and adding a new section to chapter 42.17 RCW.

Referred to Committee on State Government.

HB 1248 by Representatives Jacobsen and Prince

AN ACT Relating to Washington public employees' retirement system membership; amending RCW 41.40.120; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1249 by Representatives Prentice, D. Sommers, R. Meyers, Sprenkle, Anderson and Silver

AN ACT Relating to the regulation of nursing pools providing temporary nursing services to nursing homes certified under Titles XVIII and XIX of the federal social security act; amending RCW 74.46.020; adding a new section to chapter 74.46 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committees on Health Care/Appropriations.

HB 1250 by Representatives Wilson, Haugen, Fuhrman, R. King, Padden, Orr, Winsley, Paris, Broback, May, Bowman, Miller, Horn, Wood, Wynne, Betrozoff and Spanel

AN ACT Relating to the nonconsumptive use of wildlife; amending RCW 77.04.055, 77.08.010, 77.32.010, and 77.12.170; adding a new section to chapter 77.32 RCW; adding new sections to chapter 77.12 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Fisheries & Wildlife.

HB 1251 by Representatives Wilson, Haugen, Spanel, Schmidt, Zellinsky, Jones, R. Johnson, R. King, Orr, Basich and Paris

AN ACT Relating to oil transmission lines; adding a new section to Title 35 RCW; adding a new section to Title 35A RCW; adding a new section to Title 36 RCW; and creating a new section.

Referred to Committee on Local Government.

HB 1252 by Representatives Wilson, Haugen, Spanel, Schmidt, Zellinsky, R. Johnson and Leonard

AN ACT Relating to aquaculture facilities; and adding a new section to chapter 15.85 RCW.

Referred to Committee on Fisheries & Wildlife.

HB 1253 by Representatives Braddock, Prentice, Holland, D. Sommers, Tate, R. Meyers, Moyer, Anderson, Sprenkle, Silver, Winsley, Paris, Broback, Bowman, Edmondson, Rayburn, Wood and Wynne

AN ACT Relating to continuity of nursing care in nursing homes; amending RCW 74.46.481; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1254 by Representatives Valle, Phillips, Brumsickle, Jacobsen, Riley, Basich and Anderson

AN ACT Relating to the performing arts; adding new sections to chapter 28A.300 RCW; creating a new section; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 1255 by Representatives Appelwick, Padden, Inslee, Locke, Riley, Miller, Former, Heavey, Paris, Wang, R. Meyers, Jacobsen, Phillips, Orr, G. Fisher and Belcher; by request of Human Rights Commission

AN ACT Relating to discrimination; amending RCW 49.60.030, 49.60.120, 49.60.205, 49.60.223, 49.60.224, 49.60.230, 49.60.240, 49.60.250, 49.44.090, and 70.124.060; and reenacting and amending RCW 49.60.040 and 49.60.215.

Referred to Committee on Judiciary.

HB 1256 by Representatives Jones, Peery, Miller, Cole, G. Fisher, Ebersole, Holland, H. Myers, Roland, Hine, Winsley, Former, Riley, Basich and Inslee

AN ACT Relating to school-business partnerships; adding new sections to chapter 28A.405 RCW; creating a new section; and making an appropriation.

Referred to Committee on Education.

HB 1257 by Representatives Day, Moyer, Prentice, Braddock, Winsley, Paris, Dellwo, Phillips and Orr; by request of Department of Health

AN ACT Relating to practical nurses; amending RCW 18.78.005, 18.78.020, 18.78.030, 18.78.040, 18.78.050, 18.78.055, 18.78.060, 18.78.080, and 18.78.100; reenacting and amending RCW 18.78.090; and repealing RCW 18.78.110.

Referred to Committee on Health Care.

HB 1258 by Representatives Day, Moyer, Prentice, Braddock, Paris and Orr; by request of Department of Health

AN ACT Relating to nursing home administration; amending RCW 18.52.020, 18.52.030, 18.52.040, 18.52.050, 18.52.110, 18.52.130, and 18.52.140; adding new sections to chapter 18.52 RCW; and repealing RCW 18.52.060, 18.52.100, 18.52.170, and 18.52.070.

Referred to Committee on Health Care.

HJR 4204 by Representatives H. Sommers, Peery, Brough, Cole, Holland, Valle, Miller, Neher, Phillips, Rust, Dorn, Rasmussen, Orr, Spanel, Vance, Rayburn, Jacobsen, Brekke, Nelson, Basich, Leonard and Anderson

Amending the Constitution to allow school districts to continue levy levels as last approved by voters if the district's latest increased levy failed to be approved by the voters.

Referred to Committee on Education.

HJR 4205 by Representatives Winsley, Wang, Ballard, Leonard, Mitchell, Nelson, Ebersole, Franklin, Bowman, Jones, R. Johnson, Jacobsen, Betrozoff, Fraser, R. King, Phillips, Brekke, Inslee, Spanel, Rasmussen and Anderson

Amending the Constitution to allow property devoted to low-income housing to be taxed based on its current use value.

Referred to Committees on Housing/Revenue.

HJR 4206 by Representatives Heavey, Cole, Schmidt, Jacobsen, Fuhrman, Ludwig, R. Meyers, Betrozoff, Orr, Nelson and Rasmussen

Amending the Constitution by directing the legislature to limit the increase of the aggregate of all taxes on residential property to ten percent per year.

Referred to Committee on Revenue.

#### MOTION

On motion of Mr. Ebersole, the bills and resolutions listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker (Mr. O'Brien presiding) called the House to order.

Representatives Appelwick, Basich, Belcher, Brekke and G. Fisher appeared at the bar of the House.

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

## MOTIONS

On motion of Mr. Ebersole, House Bill No. 1135 was referred from Committee on Local Government to Committee on Transportation.

On motion of Mr. Ebersole, House Bill No. 1156 was referred from Committee on Commerce & Labor to Committee on Agriculture & Rural Development.

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

## MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Friday, January 25, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**TWELFTH DAY**-----  
**MORNING SESSION**  
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House Chamber, Olympia, Friday, January 25, 1991

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives G. Fisher, Lisk, Locke, R. Meyers, Morris, Moyer and Peery. On motion of Ms. Bowman, Representative Moyer was excused. On motion of Mr. Bray, Representatives Locke, R. Meyers and Peery were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jamie Ovens and Lisa Tann. Prayer was offered by The Reverend Jarvis Hilton, Minister of the Lacey Baptist Chapel.

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

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

**INTRODUCTIONS AND FIRST READING**

HB 1259 by Representatives H. Sommers, Schmidt, Rasmussen, Heavey, Wilson, Winsley, Phillips, Jacobsen, R. King, Nelson, Jones, Wineberry, Dellwo, Brekke, Scott and Anderson

AN ACT Relating to the housing trust fund and housing assistance program; amending RCW 43.185.010, 43.185.030, 43.185.050, 43.185.070, and 43.185.080; and adding a new section to chapter 43.185 RCW.

Referred to Committee on Capital Facilities & Financing.

HB 1260 by Representatives Ferguson, Rasmussen, Ballard, Haugen, Nealey, Winsley, Zellinsky, May, Broback, Beck, Tate, Spanel, Brumsickle, Fuhrman, Moyer, Dorn, D. Sommers, Forner, Paris, Vance, Hochstatter, Betrozoff, Wood, Horn, Brough, Chandler, Miller, Mitchell, Rayburn and Morris

AN ACT Relating to forfeiture of motor vehicles; adding a new section to chapter 46.16 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

**HB 1261** by Representatives Rayburn, Nealey, McLean, Grant, Kremen, Rasmussen, Chandler, Lisk, P. Johnson, Fuhrman, Hochstatter, Wynne, Edmondson, Bowman, Inslee, R. Johnson and Bray

AN ACT Relating to pesticide records; and amending RCW 17.21.100 and 49.70.119.

Referred to Committee on Agriculture & Rural Development.

**HB 1262** by Representatives Zellinsky, Lisk, R. Meyers, Van Luven, Ferguson, Prentice, Chandler, Orr, Bowman, Prince, Day, Cooper, R. Fisher, Betzoff, Cantwell, Forner, Paris, Wilson, P. Johnson, Fuhrman, Winsley, Hochstatter, Nealey, Wynne, D. Sommers, Broback, Wood, Morton, Horn, Mielke, Brough, Miller, Jacobsen and Silver

AN ACT Relating to weight, height, and length exemptions for tow trucks operated by registered tow truck operators; and adding a new section to chapter 46.44 RCW.

Referred to Committee on Transportation.

**HB 1263** by Representatives Peery, Cole, Dorn and Holland

AN ACT Relating to citizenship requirements for teachers; amending RCW 28A.405.050; and repealing RCW 28A.405.020.

Referred to Committee on Education.

**HB 1264** by Representatives Peery, Brough, G. Fisher, Vance, Rasmussen, Brumsickle, Roland, Valle, Phillips, Cole, P. Johnson, Jones, Holland, Neher, Broback, Paris, Betzoff and Basich

AN ACT Relating to education; amending RCW 28A.335.180, 28A.300.040, 28A.300.060, 28A.155.140, 28A.305.190, 28A.230.020, 28A.230.060, 28A.230.100, 28A.230.130, 28A.150.260, 28A.305.130, 28A.335.040, 28A.335.120, 28A.400.030, 28A.405.460, 28A.330.100, 28A.405.400, 28A.405.450, 28A.410.020, 28A.410.030, 28A.600.060, 28A.600.070, 28A.170.100, and 28A.315.230; reenacting and amending RCW 28A.335.040; adding a new section to chapter 28A.405 RCW; and repealing RCW 28A.26.010, 28A.26.020, 28A.26.030, 28A.26.040, 28A.26.050, 28A.26.060, 28A.26.900, 28A.150.090, 28A.150.430, 28A.155.110, 28A.155.120, 28A.155.130, 28A.230.200, 28A.305.180, 28A.310.450, 28A.310.900, 28A.320.220, 28A.410.130, 28A.410.900, 28A.505.190, 28A.525.100, 28A.525.102, 28A.525.104, 28A.525.106, 28A.525.108, 28A.525.110, 28A.525.112, 28A.525.114, 28A.525.116, 28A.550.010, 28A.615.010, 28A.615.020, 28A.615.030, 28A.615.040, 28A.630.310, and 28A.630.340.

Referred to Committee on Education.

HB 1265 by Representatives Valle, Heavey and Scott

AN ACT Relating to dedications; and amending RCW 58.17.040 and 58.17.165.

Referred to Committee on Local Government.

HB 1266 by Representatives Valle, Fuhrman, Spanel, Betrozoff, Phillips, Miller, Jacobsen, R. King, Wineberry and Scott

AN ACT Relating to seismic safety in public schools; creating new sections; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Education.

HB 1267 by Representatives Holland, Scott, Beck, Valle, Winsley and Wynne; by request of Department of Natural Resources

AN ACT Relating to the reconveyance of state forest lands leased for sanitary landfills; and adding a new section to chapter 76.12 RCW.

Referred to Committee on Natural Resources & Parks.

HB 1268 by Representatives Spanel, Silver, Hine, Forner, Paris, May, P. Johnson, Winsley, Zellinsky, Hochstatter, Nealey, Wynne, Edmondson, Bowman, D. Sommers, Brumsickle, Betrozoff, Wood, Miller, Ballard, Tate, McLean, Jacobsen, Nelson, Jones, Wineberry, Pruitt, Dellwo, R. Johnson, Ogden, Bray, Roland and Basich; by request of Joint Committee on Pension Policy

AN ACT Relating to granting whole and partial retirement service credit; amending RCW 41.32.010, 41.32.013, 41.32.765, 41.40.010, 41.40.185, 41.40.235, 41.40.450, 41.40.620, 41.40.630, 41.26.030, 41.26.090, 41.26.100, 41.26.160, and 41.26.430; adding a new section to chapter 41.50 RCW; creating new sections; making appropriations; providing effective dates; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1269 by Representatives Silver, Spanel, Paris, May, P. Johnson, Fuhrman, Winsley, Hochstatter, Nealey, Wynne, Edmondson, Bowman, D. Sommers, Brumsickle, Betrozoff, Wood, Neher, Horn, Mielke, Miller, Ballard, Tate and McLean; by request of Joint Committee on Pension Policy

AN ACT Relating to public retirement; amending RCW 41.32.260, 41.32.550, and 41.18.015; reenacting and amending RCW 41.40.120; adding new sections to chapter 41.32 RCW; adding a new section to chapter 41.26 RCW; adding a new section to chapter 41.40 RCW; adding a new section to chapter 43.43 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Appropriations.

**HB 1270** by Representatives Spanel, Silver, Hine, Paris, May, P. Johnson, Winsley, Hochstatter, Nealey, Wynne, Edmondson, Bowman, D. Sommers, Betzoff, Wood, Horn, Miller, Ballard, McLean and Basich

AN ACT Relating to reorganizing the statutes governing the state's retirement system; amending RCW 41.26.005, 41.26.030, 41.26.035, 41.26.040, 41.26.060, 41.26.080, 41.26.090, 41.26.120, 41.26.130, 41.26.140, 41.26.150, 41.26.160, 41.26.170, 41.26.180, 41.26.190, 41.26.240, 41.26.280, 41.26.410, 41.32.005, 41.32.010, 41.32.030, 41.32.120, 41.32.130, 41.32.160, 41.32.190, 41.32.230, 41.32.240, 41.32.242, 41.32.260, 41.32.300, 41.32.310, 41.32.330, 41.32.340, 41.32.350, 41.32.360, 41.32.366, 41.32.390, 41.32.405, 41.32.420, 41.32.430, 41.32.480, 41.32.4945, 41.32.498, 41.32.499, 41.32.500, 41.32.520, 41.32.522, 41.32.523, 41.32.540, 41.32.550, 41.32.590, 41.32.610, 41.32.620, 41.32.630, 41.32.780, 41.32.790, 41.40.005, 41.40.010, 41.40.020, 41.40.080, 41.40.083, 41.40.100, 41.40.110, 41.40.130, 41.40.160, 41.40.170, 41.40.195, 41.40.200, 41.40.220, 41.40.230, 41.40.235, 41.40.250, 41.40.260, 41.40.280, 41.40.310, 41.40.320, 41.40.340, 41.40.350, 41.40.363, 41.40.380, 41.40.410, 41.40.412, 41.40.440, 41.40.450, 41.40.610, 41.40.625, 41.40.670, and 41.40.710; amending 1990 c 274 s 19 (uncodified); reenacting and amending RCW 41.40.005; adding new sections to chapter 41.26 RCW; adding new sections to chapter 41.32 RCW; adding new sections to chapter 41.40 RCW; adding new sections to chapter 41.50 RCW; creating new sections; recodifying RCW 41.26.060, 41.32.030, 41.32.120, 41.32.130, 41.32.190, 41.32.230, 41.32.405, 41.32.420, 41.32.430, 41.32.830, 41.40.080, 41.40.083, 41.40.100, 41.40.110, 41.40.350, 41.26.900, 41.26.910, 41.26.920, 41.26.901, 41.26.921, 41.32.011, 41.40.005, 41.40.010, 41.40.020, 41.40.120, 41.40.123, 41.40.130, 41.40.165, 41.40.223, 41.40.340, 41.40.361, 41.40.370, 41.40.380, 41.40.400, 41.40.403, 41.40.410, 41.40.412, 41.40.414, 41.40.420, 41.40.440, 41.40.450, 41.40.530, 41.40.540, 41.40.542, 41.40.800, 41.40.810, 41.40.150, 41.40.160, 41.40.170, 41.40.180, 41.40.185, 41.40.188, 41.40.190, 41.40.193, 41.40.195, 41.40.198, 41.40.1981, 41.40.200, 41.40.210, 41.40.220, 41.40.230, 41.40.235, 41.40.250, 41.40.260, 41.40.270, 41.40.280, 41.40.300, 41.40.310, 41.40.320, 41.40.325, 41.40.330, 41.40.363, 41.40.610, 41.40.620, 41.40.625, 41.40.630, 41.40.640, 41.40.650, 41.40.660, 41.40.670, 41.40.680, 41.40.690, 41.40.700, 41.40.710, 41.40.720, 41.40.730, 41.40.740, 41.40.900, and 41.40.920; decodifying RCW 41.26.043, 41.26.051, 41.26.310, 41.26.400, 41.26.475, 41.26.560, 41.32.015, 41.32.243, 41.32.2431, 41.32.2432, 41.32.245, 41.32.250, 41.32.265, 41.32.280, 41.32.290, 41.32.310, 41.32.365, 41.32.486, 41.32.491, 41.32.492, 41.32.494, 41.32.4943, 41.32.560, 41.32.561, 41.32.567, 41.32.583, 41.32.750, 41.40.011, 41.40.022, 41.40.135, 41.40.138, 41.40.1982, 41.40.199, 41.40.225, 41.40.405, 41.40.406, 41.40.407, 41.40.411, 41.40.500, 41.40.501, 41.40.502, 41.40.503, 41.40.504, 41.40.505, 41.40.506, 41.40.507, 41.40.509, 41.40.515, 41.40.516, 41.40.517, 41.40.518, 41.40.519, 41.40.520, 41.40.521, 41.40.522, 41.40.527, 41.40.535, and 41.40.600; and repealing RCW 2.10.095, 2.12.070, 2.12.080, 41.04.065, 41.26.065, 41.26.070, 41.26.320, 41.26.330, 41.26.600, 41.32.045, 41.32.140, 41.32.170, 41.32.180, 41.32.201, 41.32.202, 41.32.203, 41.32.207, 41.32.220, 41.32.320, 41.32.401, 41.32.440, 41.32.4944, 41.32.565, 41.32.600, 41.32.610, 41.32.620, 41.32.630, 41.32.650, 41.40.072, 41.40.075, 41.40.077, 41.40.090, 41.40.155, 43.43.170, 43.43.175, 43.43.180, 43.43.190, and 43.43.225.

Referred to Committee on Appropriations.

HB 1271 by Representatives R. Fisher and Betrozoff; by request of Utilities & Transportation Commission

AN ACT Relating to railroad crossing inspection fees; and amending RCW 81.54.030.

Referred to Committee on Transportation.

HB 1272 by Representatives R. Fisher, Betrozoff, Forner, Paris, Van Luven and Wineberry; by request of Utilities & Transportation Commission

AN ACT Relating to the limits on liability for loss or damage to baggage by common carriers; and amending RCW 81.29.050.

Referred to Committee on Transportation.

HB 1273 by Representatives R. Johnson, Betrozoff, Jones and Paris; by request of Utilities & Transportation Commission

AN ACT Relating to the requirement that motor carriers provide original or duly verified photocopies of all transportation contracts when applying for permits; and amending RCW 81.80.080.

Referred to Committee on Transportation.

HB 1274 by Representatives R. Fisher and Schmidt

AN ACT Relating to street utilities; reenacting and amending RCW 82.80.040, 82.80.050, and 82.80.060; reenacting RCW 82.80.070; adding a new chapter to Title 35 RCW; recodifying RCW 82.80.040, 82.80.050, 82.80.060, and 82.80.070; and declaring an emergency.

Referred to Committee on Transportation.

HB 1275 by Representatives Haugen, Ferguson and Cooper

AN ACT Relating to local government; amending RCW 35.13.171, 35.24.020, 35.24.180, 35.24.190, 35.27.010, 35.27.070, 35.27.130, 35.27.270, 35.27.280, 35A.39.010, 41.08.040, 41.12.040, and 42.17.310; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Local Government.

HB 1276 by Representatives R. King, Ferguson, Peery, R. Meyers, Orr, Prentice, Edmondson, Schmidt, Brough, Chandler, Fraser, Paris, Winsley, Miller, Mitchell, Jacobsen, Rayburn, Basich and Scott

AN ACT Relating to school construction standards for fire prevention and safety; adding a new section to chapter 48.48 RCW; and providing an effective date.

Referred to Committee on State Government.

HB 1277 by Representatives Grant, May, H. Myers, Hochstatter, Paris and Jacobsen; by request of Washington State Energy Office

AN ACT Relating to the geothermal account; and amending RCW 43.140.900 and 28A.515.320.

Referred to Committee on Energy & Utilities.

HB 1278 by Representatives Heavey, Cole, R. King, Prentice, Leonard and Riley

AN ACT Relating to employer obligations; adding a new chapter to Title 49 RCW; and creating a new section.

Referred to Committee on Commerce & Labor.

HB 1279 by Representatives Heavey, Cole, R. King, Prentice, O'Brien, Jones, Leonard, Riley, Brekke and Basich

AN ACT Relating to unemployment compensation during labor disputes; amending RCW 50.20.090; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1280 by Representatives Heavey, Fuhrman, Cole, R. King, Prentice, O'Brien, Hargrove, Ludwig, Jones, Leonard, Riley, Winsley, Phillips, Jacobsen, Franklin and Dellwo

AN ACT Relating to industrial insurance permanent partial disability awards; and amending RCW 51.32.080.

Referred to Committee on Commerce & Labor.

HB 1281 by Representatives Jones, Heavey, Cole, R. King, Prentice, O'Brien, Hargrove, Ludwig, Leonard, Nelson, Dellwo and Basich

AN ACT Relating to workers' compensation benefits; amending RCW 51.32.050, 51.32.060, and 51.32.090; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1282 by Representatives R. King, Cole, Prentice, O'Brien, Hargrove, Ludwig, Jones, Leonard, Riley and Dellwo

AN ACT Relating to reopening of industrial insurance claims; and amending RCW 51.32.160.

Referred to Committee on Commerce & Labor.

HB 1283 by Representatives Cole, Heavey, R. King, Franklin, Prentice, Hargrove, Ludwig, Jones, Leonard, Riley, Wineberry, Dellwo and Basich

AN ACT Relating to maintaining employee benefits; amending RCW 51.32.090; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1284 by Representatives Prentice, Heavey, R. King, Cole, O'Brien, Jones, Leonard, Riley, Wineberry and Dellwo

AN ACT Relating to workplace safety bonus programs; and adding a new section to chapter 51.28 RCW.

Referred to Committee on Commerce & Labor.

HB 1285 by Representatives Franklin, Cole, Heavey, R. King, Prentice, O'Brien, Hargrove, Ludwig, Jones, Leonard, Riley, Dellwo and Basich

AN ACT Relating to payments for time lost from work while attending a medical examination for industrial insurance; and amending RCW 51.32.110.

Referred to Committee on Commerce & Labor.

HB 1286 by Representatives Franklin, Winsley, R. King and Wineberry

AN ACT Relating to collective bargaining for superior court employees; and amending RCW 41.56.020 and 41.56.030.

Referred to Committee on Commerce & Labor.

HB 1287 by Representatives Heavey, Moyer, Franklin, Rayburn, Jones, May, Leonard, Tate, Hine, Ballard, Broback, Winsley, Wineberry, Anderson, Brekke, Miller, Riley, Kremen, Forner and Paris

AN ACT Relating to adoption; and amending RCW 26.33.160, 26.33.190, 26.33.350, 26.33.390, and 26.33.400.

Referred to Committee on Human Services.

HB 1288 by Representatives Cole, Prentice, Jones, R. King, Winsley, Leonard, Jacobsen, Wineberry and Wang; by request of Department of Labor & Industries

AN ACT Relating to the employment of minors; amending RCW 49.12.170; adding new sections to chapter 49.12 RCW; creating a new section; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1289 by Representatives Prentice, Cole, Jones, R. King, Winsley, Wineberry and Wang; by request of Department of Labor & Industries

AN ACT Relating to penalties for violations of wage payment laws; amending RCW 49.46.100, 49.48.040, and 49.48.060; creating a new section; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 1290 by Representatives Prentice, Phillips and Wang; by request of Department of Labor & Industries

AN ACT Relating to the imposition of civil penalties for violation of the industrial welfare statutes; adding new sections to chapter 49.12 RCW; repealing RCW 49.12.161 and 49.12.170; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 1291 by Representatives Jones, Moyer, Sprenkle and Brekke

AN ACT Relating to medical care services limited to medication for former recipients of general assistance benefits; and amending RCW 74.09.035.

Referred to Committee on Appropriations.

HB 1292 by Representatives H. Myers, Peery, Cooper, Riley, Ogden, Jones, Morris, Grant, Paris, Ferguson, Holland, Winsley, Bowman, D. Sommers, Horn, Chandler and Miller

AN ACT Relating to exempting property from execution; and adding a new section to chapter 6.15 RCW.

Referred to Committee on Revenue.

HB 1293 by Representatives Jacobsen, Wood, Fraser, Miller, Prince, Brumsickle, Ludwig, Ogden, Winsley, Wynne, Wineberry, Pruitt, Bray and Basich

AN ACT Relating to the local master's degree teacher training program; creating a new section; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 1294 by Representatives R. Meyers, Schmidt, Dellwo, Dorn, Inslee, Padden, Anderson, Paris and Wang

AN ACT Relating to mandatory offering of personal injury protection insurance; adding new sections to chapter 48.22 RCW; creating a new section; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 1295 by Representatives Wood, Jacobsen, Ogden, Miller, Sheldon, Spanel, Dellwo, May, Fraser, Paris, Betzoff, Wineberry, R. Johnson, Brekke and Anderson

AN ACT Relating to physical access at institutions of higher education; and adding a new section to chapter 28B.10 RCW.

Referred to Committees on Higher Education/Capital Facilities & Financing.

HB 1296 by Representatives Ogden, Wood, Spanel, Miller, Sheldon, Dellwo, May, Fraser, Paris, Ferguson, Betzoff, Mitchell, Wineberry, R. Johnson, Brekke, Basich and Anderson

AN ACT Relating to access to higher education for students with disabilities; adding new sections to chapter 28B.80 RCW; and making appropriations.

Referred to Committees on Higher Education/Appropriations.

HB 1297 by Representatives Wang, Nelson, Horn, Phillips, Fraser, Heavey, Rust, Brumsickle, Leonard, Belcher, Haugen, Winsley, Jacobsen, Ferguson, Morris, Spanel, Appelwick, O'Brien, H. Sommers, Franklin, Wineberry, Dorn, Cooper, R. King, Jones, Pruitt, H. Myers, Ogden, Bray, Cole, Roland, Basich, Hine, Scott and Anderson

AN ACT Relating to state assistance to low-income homeowners for property taxes levied for collection in 1991; adding a new section to chapter 84.36 RCW; prescribing penalties; making an appropriation; and declaring an emergency.

Referred to Committee on Revenue.

HB 1298 by Representatives Wang, Holland, Nelson, Phillips, Fraser, Brumsickle, Rust, Ballard, Leonard, Horn, Haugen, May, Heavey, Ferguson, Jacobsen, O'Brien, Morris, Winsley, Appelwick, H.

Sommers, Dorn, Belcher, Van Luven, Morton, Locke, Brekke, Pruitt, Spanel, Wineberry, Kremen, Cooper, Betrozoff, Jones, Franklin, Dellwo, H. Myers, Ogden, Bray, Cole, Roland, Basich, Scott and Anderson

AN ACT Relating to implementing a constitutional amendment providing property tax exemptions for low-income homeowners; amending RCW 84.36.383, 84.36.385, 84.36.387, and 84.36.389; adding a new section to chapter 84.36 RCW; and providing a contingent effective date.

Referred to Committee on Revenue.

HB 1299 by Representatives Phillips, Holland, Wang, Horn, Fraser, Ballard, Rust, Brumsickle, Leonard, Tate, Pruitt, Haugen, May, Nelson, Bowman, O'Brien, Nealey, Heavey, D. Sommers, Belcher, Broback, Jacobsen, Ferguson, Morris, Winsley, Appelwick, Van Luven, Franklin, Wynne, H. Sommers, Neher, Wineberry, Mitchell, Ogden, Edmondson, Spanel, Forner, Casada, Wood, Mielke, P. Johnson, Kremen, Dorn, Paris, Wilson, Fuhrman, Lisk, Zellinsky, Vance, Hochstatter, Cooper, Betrozoff, Schmidt, Brough, Chandler, Miller, McLean, R. King, Jones, Silver, Dellwo, Rayburn, H. Myers, Bray, Roland, Valle, Basich, Hine, Scott and Anderson

AN ACT Relating to increasing the maximum income limits for retired persons' property tax exemptions to twenty-two thousand dollars per year and for retired persons' property tax deferrals to thirty thousand dollars per year; amending RCW 84.38.020, 84.38.030, 84.36.381, and 84.36.383; creating a new section; and declaring an emergency.

Referred to Committee on Revenue.

HB 1300 by Representatives Wang, Horn, Phillips, Heavey, Fraser, Winsley, Rust, Leonard, Nelson, Holland, Jacobsen, Appelwick, Dorn, Ferguson, Locke, H. Sommers, Brekke, Wineberry, May, R. King, Wilson, Betrozoff, Cole, Hine, Scott and Anderson

AN ACT Relating to averaging large property tax valuation increases; amending RCW 84.04.030, 84.40.020, 84.40.030, 84.40.040, 84.40.045, 84.41.041, 84.48.010, 84.48.065, 84.48.075, 84.48.080, 84.12.270, 84.12.280, 84.12.310, 84.12.330, 84.12.350, 84.12.360, 84.16.040, 84.16.050, 84.16.090, 84.16.110, 84.16.120, 84.24.040, 84.36.041, 84.52.063, and 84.70.010; adding a new section to chapter 84.04 RCW; adding a new section to chapter 84.40 RCW; and providing a contingent effective date.

Referred to Committee on Revenue.

HB 1301 by Representatives Wang, Holland, Fraser, Horn, Rust, Brumsickle, Leonard, Ballard, Nelson, Heavey, Haugen, Winsley, Jacobsen, May, Morris, Ferguson, Appelwick, Phillips, H. Sommers, Belcher,

Locke, Pruitt, Franklin, Spanel, Van Luven, Cooper, Wineberry, H. Myers, Bray, Scott and Anderson

AN ACT Relating to improving property tax administrative practices; requiring annual updating of assessed values; providing more complete information about property tax administration; modifying qualification requirements for property tax appraisers; requiring a study; amending RCW 84.41.030, 84.41.041, and 36.21.015; adding a new section to chapter 84.41 RCW; adding a new section to chapter 84.08 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Revenue.

HB 1302 by Representatives Jacobsen, Pruitt, Ferguson, Heavey, Winsley, Sprenkle, G. Fisher, Cooper, Betzoff, Wineberry and Basich

AN ACT Relating to capital appropriations for a community and 1994 World Cup soccer facility; creating a new section; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committees on Trade & Economic Development/Capital Facilities & Financing.

HB 1303 by Representatives Rasmussen, Brumsickle, Peery, Rayburn, Fraser, Nealey, McLean, Dorn, Bowman, Roland, Tate, Moyer, Inslee, Sheldon, Betzoff, Chandler, Cooper, Spanel, Orr, Vance, P. Johnson, Hargrove, Jones, R. Johnson, Riley, Paris and Edmondson

AN ACT Relating to technological and vocational agricultural education; amending RCW 28A.300.080 and 28B.80.350; adding new sections to chapter 28A.300 RCW; adding a new section to chapter 28B.10 RCW; adding a new chapter to Title 28A RCW; and making appropriations.

Referred to Committees on Education/Appropriations.

HB 1304 by Representatives Valle, Horn, Rust, D. Sommers, Paris, Forner, Brekke, May and Wineberry

AN ACT Relating to recycling in state parks, marinas, and airports; adding a new section to chapter 43.51 RCW; adding new sections to chapter 70.95 RCW; and making appropriations.

Referred to Committee on Environmental Affairs.

HB 1305 by Representatives Nelson, Prince, Jacobsen, Miller, Pruitt, Appelwick, Brekke, Valle, Paris, Phillips, R. King, Wineberry and Anderson

AN ACT Relating to a Giovanni Costigan endowed teaching chair; and adding new sections to chapter 28B.20 RCW.

Referred to Committees on Higher Education/Appropriations.

HB 1306 by Representatives Nelson, R. Fisher, Cooper, Wineberry and R. Johnson

AN ACT Relating to the secretary of transportation; and amending RCW 47.01.041 and 47.01.061.

Referred to Committee on Transportation.

HB 1307 by Representatives Winsley, McLean, Pruitt, Rasmussen, Holland, Vance, P. Johnson, Broback, Cole, Jones, Wineberry and Dellwo

AN ACT Relating to masters degrees for teachers; and amending RCW 28A.410.050.

Referred to Committee on Education.

HB 1308 by Representatives Winsley, Franklin, Haugen, Nelson, Ogden, Mitchell and Ferguson

AN ACT Relating to the state board of registration for professional engineers and land surveyors; and amending RCW 18.43.030.

Referred to Committee on Commerce & Labor.

HB 1309 by Representatives McLean, Appelwick, Bowman, R. Meyers, Hargrove, Dorn, Paris, May, Winsley, Lisk, Hochstatter, Wynne, Edmondson, D. Sommers, Broback, Betrozoff, Horn, Tate, Silver and Pruitt

AN ACT Relating to child support; and adding a new section to chapter 26.18 RCW.

Referred to Committee on Judiciary.

HB 1310 by Representatives McLean, R. Fisher, Anderson, Miller, Hine, Moyer, Spanel, Bowman, Kremen, Ballard, Tate, Brekke, Vance, Paris, May, Leonard, Mitchell, Jacobsen, Wineberry, Pruitt, Basich and Wang

AN ACT Relating to voter registration by mail; amending RCW 29.10.180; adding a new chapter to Title 29 RCW; repealing RCW 29.07.040; prescribing penalties; and providing an effective date.

Referred to Committee on State Government.

HB 1311 by Representatives Orr, Winsley, Dorn, Roland, Rasmussen, Dellwo, Jacobsen, Pruitt and Brekke

AN ACT Relating to early intervention and prevention school programs; adding a new section to chapter 28A.300 RCW; creating a new section; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 1312 by Representatives Wang, McLean and Anderson

AN ACT Relating to special reports for campaign contributions; amending RCW 42.17.105 and 42.17.175; and prescribing penalties.

Referred to Committee on State Government.

HB 1313 by Representatives Fraser, Brumsickle, Phillips, Jones and Scott

AN ACT Relating to senior citizen property tax relief; amending RCW 84.36.381 and 84.36.383; and creating a new section.

Referred to Committee on Revenue.

HB 1314 by Representatives Haugen, Spanel, Wilson, R. Johnson, Kremen, Braddock, H. Sommers, Morris, R. King, Sheldon, Hargrove, Belcher, Basich and Jacobsen

AN ACT Relating to a fish and wildlife work force; adding a new chapter to Title 50 RCW; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 1315 by Representatives Haugen, Spanel, Wilson, R. Johnson, Kremen, Braddock, H. Sommers, Morris, R. King, Sheldon, Hargrove, Belcher, Basich, Dorn, Jacobsen and Wineberry

AN ACT Relating to a fish and wildlife work force; adding a new chapter to Title 50 RCW; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 1316 by Representatives Fraser, Brumsickle, Haugen, Basich, Wang, Ferguson, Edmondson, Sheldon, Cooper, Bowman, Nealey, Riley, Wood, Zellinsky, Mitchell, H. Myers, Jones and Paris

AN ACT Relating to county treasurers; amending RCW 17.04.180, 28A.510.270, 36.16.140, 36.29.010, 36.29.020, 36.29.060, 36.29.110, 36.29.180, 36.33.160, 36.34.080, 36.48.070, 58.08.040, 82.45.180, 84.08.110, 84.40.065, 84.56.020, 84.56.050, 84.56.060, 84.56.070, 84.56.120, 84.56.220, 84.56.230, 84.56.260, 84.56.280, 84.64.050, 84.64.070, 84.64.080, 84.64.120, 84.64.215, 84.64.270, 84.69.020, 84.69.030, 84.69.040, 84.69.060, 85.05.280, and 85.05.360; adding a new

section to chapter 36.88 RCW; and repealing RCW 36.29.030, 36.29.080, 36.29.140, 36.32.180, 84.64.010, 84.64.020, 84.64.030, 84.64.140, 84.64.145, 84.64.150, 84.64.160, 84.64.170, 84.64.210, and 84.64.240.

Referred to Committee on Local Government.

HB 1317 by Representatives Silver, Morris, Holland, Fraser, Mielke, Spanel, Edmondson, Lisk, Morton, Paris, Hochstatter, Nealey, Wynne, Cooper, Bowman, D. Sommers, Miller, Ballard and Mitchell

AN ACT Relating to tax exemptions for oxygen; and amending RCW 82.08.0283 and 82.12.0277.

Referred to Committee on Revenue.

HB 1318 by Representatives Zellinsky, Broback, Inslee, Dellwo, Winsley, Anderson, Rasmussen, Scott, R. Fisher, Ferguson, Paris, Wynne and R. Johnson

AN ACT Relating to public workers during emergency situations; and amending RCW 46.52.130.

Referred to Committee on Financial Institutions & Insurance.

HB 1319 by Representatives Jacobsen, Wood, Ogden, May, Basich, R. King, Heavey, Schmidt, Orr, Chandler, Jones, McLean, Riley, Ferguson, Brekke, Bowman, Ludwig, Horn, Bray, Grant, Spanel, R. Fisher, Morris, Cooper, Pruitt, Fraser, Valle, Rayburn, Inslee, Silver, Vance, Wilson, Zellinsky, Dellwo, Mielke, Brumsickle, Rasmussen, Dorn, Edmondson, Holland, Wynne, Nealey, P. Johnson, Broback, Ballard, Tate, Moyer, Winsley, Ebersole, Former, Paris, Fuhrman, Lisk, Hochstatter, Betrozoff, Leonard, Brough, Van Luven, Nelson, Wineberry, H. Myers, Hine, Wang and Anderson

AN ACT Relating to additional enrollments at institutions of higher education; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committees on Higher Education/Appropriations.

HB 1320 by Representatives R. Meyers, Dellwo, R. King, Inslee, Riley, Ludwig, Ebersole, Leonard, Wineberry and Wang

AN ACT Relating to full disclosure of civil court proceedings relating to public hazards; amending RCW 19.108.050; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Judiciary.

HB 1321 by Representatives Vance, Lisk, Prentice, Fuhrman and Bowman

AN ACT Relating to licensing out-of-state cosmetologists, barbers, and manicurists; amending RCW 18.16.130; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1322 by Representatives R. King, Rayburn, Nealey, Basich, McLean, Hochstatter, Fuhrman, Bowman, Sheldon, Chandler, Morris, Ballard, Dorn and Tate

AN ACT Relating to aquatic animal health; adding a new chapter to Title 15 RCW; and making appropriations.

Referred to Committees on Fisheries & Wildlife/Appropriations.

HB 1323 by Representatives Appelwick, Grant, Neher, Jacobsen and Edmondson

AN ACT Relating to cigarette sales; amending RCW 19.91.010, 19.91.020, 19.91.140, 19.91.150, and 19.91.190; creating new sections; repealing RCW 82.24.500, 82.24.510, 82.24.520, 82.24.530, 82.24.540, 82.24.550, and 82.24.560; repealing 1986 c 321 s 1 (uncodified); repealing 1986 c 321 s 14 (uncodified); repealing 1986 c 321 s 15 (uncodified); and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 1324 by Representatives Zellinsky, Chandler, Lisk, Brumsickle, Van Luvan, Ferguson, Prentice, Orr, Bowman, Day, R. Fisher and Betrozoff

AN ACT Relating to drivers' licenses; and adding a new section to chapter 46.20 RCW.

Referred to Committee on Transportation.

HB 1325 by Representatives Rasmussen, Miller and Dorn; by request of Utilities & Transportation Commission

AN ACT Relating to the regulatory authority of the utilities and transportation commission over certain nonmunicipal systems; amending RCW 80.04.010 and 80.24.010; and reenacting and amending RCW 80.04.110.

Referred to Committee on Energy & Utilities.

HB 1326 by Representatives Franklin, Mitchell, Day, Prentice, Paris, Moyer, Winsley, Cole, Zellinsky, Bray, Ferguson, Edmondson, Wood, Wynne, Lisk, Wineberry, Heavey, Jones, Vance, Tate and Nelson

AN ACT Relating to residential landlord drayage and storage costs of tenant property; and amending RCW 59.18.310.

Referred to Committee on Housing.

HB 1327 by Representatives Anderson, Silver, R. Fisher, McLean, Pruitt, Bowman, Moyer, Chandler, Paris, Hochstatter, Wynne, D. Sommers, Miller and Brekke

AN ACT Relating to sunset review responsibilities of the legislative budget committee; amending RCW 43.131.120 and 43.06.010; and repealing RCW 43.131.115 and 43.131.118.

Referred to Committee on State Government.

HB 1328 by Representatives H. Sommers, Holland and Ferguson

AN ACT Relating to special educational services demonstration projects; creating a new section; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 1329 by Representatives H. Sommers, Holland, Locke, Silver, Brekke, Peery, Ebersole, Fuhrman, Cole, Phillips and R. King; by request of Legislative Budget Committee

AN ACT Relating to special educational services demonstration projects; adding new sections to chapter 28A.630 RCW; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Education.

HB 1330 by Representatives Locke, Silver, Spanel, Inslee, Morton and Holland; by request of Office of Financial Management

AN ACT Relating to fiscal matters; making appropriations and authorizing expenditures for the operations of state agencies for the fiscal biennium beginning July 1, 1991, and ending June 30, 1993; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1331 by Representatives Locke, Silver, Spanel, Inslee and Morton; by request of Office of Financial Management

AN ACT Relating to fiscal matters; making appropriations and authorizing expenditures for the operations of state agencies for the fiscal biennium beginning July 1, 1989, and ending June 30, 1991; amending 1990 1st ex.s. c 16, ss 106, 108, 109, 111, 112, 114, 116, 118, 121, 124, 202, 207, 208, 209, 211, 218, 221, 225, 227, 229, 230, 231, 232, 302, 308, 309, 311, 502, 504, 505, 506, 507, 509, 510, 511, 512, 515, 516, 514, 701, 707, 711 (uncodified), 1989 1st ex.s. c 19, ss 113, 133, 201, 506, 511, 616, and 708 (uncodified); repealing 1990 1st ex.s. c 16 s 210,

1989 1st ex.s. c 19 s 209 (uncodified); repealing 1990 1st ex.s. c 16 s 212, 1989 1st ex.s. c 19 s 211 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Appropriations.

**HB 1332** by Representatives Hargrove, Heavey and Jones

AN ACT Relating to injuries to jurors and witnesses in the course of their official duties; amending RCW 51.08.180 and 51.12.020; and creating a new section.

Referred to Committee on Commerce & Labor.

**HB 1333** by Representatives Hargrove, Heavey, Phillips, Jones, R. Meyers, Wineberry, Padden and Fuhrman

AN ACT Relating to industrial insurance appeals; and amending RCW 51.52.060.

Referred to Committee on Commerce & Labor.

**HB 1334** by Representatives Hargrove, Rayburn, Heavey, Grant, Forner, P. Johnson, Chandler, Rasmussen, Morton, R. Meyers, Morris, Kremen, Dorn, Bowman, Basich, Tate, Ballard, D. Sommers, Riley, Fuhrman, Paris, Holland, Winsley, Lisk, Hochstatter, Wynne, Edmondson, Broback, Betrozoff, Mielke, Van Luven and Miller

AN ACT Relating to regulatory takings and other unconstitutional interferences with the use of private property by governmental bodies; and adding a new chapter to Title 64 RCW.

Referred to Committees on Judiciary/Appropriations.

**HB 1335** by Representatives Nelson, Franklin, Ogden, Leonard, Wineberry, Mitchell, Winsley, Phillips, Jacobsen, Jones, Brekke, Spanel, Scott and Anderson

AN ACT Relating to low-income energy assistance; amending RCW 70.164.010, 70.164.020, and 70.164.040; adding new sections to chapter 70.164 RCW; adding a new section to chapter 43.63A RCW; adding a new section to chapter 80.01 RCW; and adding a new section to chapter 43.21F RCW.

Referred to Committee on Housing.

**HB 1336** by Representatives Leonard, Ogden, Anderson, Ballard, Nelson, Winsley, Wineberry, Franklin, Mitchell, Paris and Brekke

AN ACT Relating to prospective residential tenants; amending RCW 59.18.240; adding a new section to chapter 59.18 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Housing.

HB 1337 by Representatives Leonard, Ogden, Nelson, Winsley, Wineberry, Mitchell, Anderson and Franklin

AN ACT Relating to unfair or deceptive practices; and adding a new section to chapter 59.20 RCW.

Referred to Committee on Housing.

HB 1338 by Representatives Heavey, McLean and O'Brien; by request of Employment Security Department

AN ACT Relating to unemployment compensation deductions for social security pensions; amending RCW 50.04.323; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1339 by Representatives Heavey and O'Brien; by request of Employment Security Department

AN ACT Relating to unemployment compensation; amending RCW 50.04.030 and 50.20.190; adding a new section to chapter 50.24 RCW; creating a new section; providing effective dates; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1341 by Representatives Sheldon, Hargrove, Jones, Inslee, Riley, Rayburn, P. Johnson, Bowman, Haugen, Paris, Brumsickle, Wynne, Beck, Fuhrman, Ferguson, Basich, Morton, Padden, Roland, Heavey, H. Myers, Peery, Ebersole, May, Lisk, Zellinsky, Nealey, Edmondson, Cooper, Betrozoff, Miller, Mitchell, Jacobsen, R. King, Wineberry, Franklin and R. Johnson

AN ACT Relating to economic development; amending RCW 43.160.010, 43.160.020, 43.160.060, 43.160.076, 43.160.080, 43.168.050, 82.62.030, and 43.17.065; adding a new section to chapter 43.31 RCW; adding a new section to chapter 50.08 RCW; adding new sections to chapter 43.06 RCW; creating new sections; repealing RCW 82.62.040 and 82.60.050; making appropriations; and declaring an emergency.

Referred to Committees on Trade & Economic Development/  
Appropriations.

HB 1342 by Representatives Kremen, Braddock, R. Fisher, Spanel, R. Johnson and Nelson

AN ACT Relating to the local taxation of the sale or distribution of motor vehicle fuels; amending RCW 82.36.440 and 82.38.280; adding a new chapter to Title 82 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HJR 4207 by Representatives Wang, Horn, Heavey, Winsley, Fraser, Rust, Leonard, O'Brien, Nelson, Holland, Jacobsen, Phillips, Locke, Appelwick, Dorn, Ferguson, H. Sommers, Brekke, Wineberry, May, R. King, Paris, Wilson, Hine and Anderson

Amending the Constitution to allow the legislature to phase-in large increases in property assessments.

Referred to Committee on Revenue.

HJR 4208 by Representatives Wang, Holland, Nelson, Phillips, Fraser, Brumsickle, Rust, Ballard, Leonard, Ferguson, Haugen, Horn, Morris, Heavey, May, Jacobsen, O'Brien, Appelwick, Winsley, H. Sommers, Dorn, Belcher, Van Luven, Morton, Kremen, Locke, Brekke, Pruitt, Spanel, Wineberry, Paris, Cooper, Betrozoff, Jones, Franklin, Dellwo, H. Myers, Ogden and Anderson

Amending the constitution to allow the legislature to grant low-income property owners relief from owner occupied residences.

Referred to Committee on Revenue.

HJR 4209 by Representatives Winsley, Nelson, Ferguson, Franklin, Ballard, Mitchell, Dorn, Paris, Wilson, Nealey and Schmidt

Proposing a constitutional amendment authorizing fire districts to submit a single ballot proposition to impose excess levies for either a single year or for two years.

Referred to Committee on Local Government.

HCR 4403 by Representatives Hine and Prince

Pertaining to a memorial service for former members of the House of Representatives and Senate.

HCR 4404 by Representatives Jacobsen, Wood, Ogden, Miller, Sheldon, Spanel, Dellwo, May, Fraser, Paris, Wineberry and Anderson

Resolving that institutions of higher education accommodate students with disabilities.

Referred to Committee on Higher Education.

HCR 4405 by Representatives Rust, Horn, Grant, D. Sommers, Nelson, Sprenkle, Phillips, Jacobsen, Pruitt and Brekke

Creating a Biospheric Task Force.

Referred to Committee on Environmental Affairs.

#### MOTION

On motion of Mr. Ebersole, the bills and resolutions listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

#### MOTIONS

On motion of Mr. Ebersole, the rules were suspended and House Concurrent Resolution No. 4403 was advanced to second reading and read the second time in full.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Mr. Ebersole spoke in favor of passage of the resolution.

House Concurrent Resolution No. 4403 was adopted.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

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

#### MOTION

On motion of Mr. Dorn, House Bill No. 1115 was referred from Committee on Judiciary to Committee on Health Care.

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

#### MOTION

On motion of Mr. Dorn, the House adjourned until 10:00 a.m., Monday, January 28, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**FIFTEENTH DAY**

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**MORNING SESSION**

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House Chamber, Olympia, Monday, January 28, 1991

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Appelwick, Betzoff, Braddock, Brekke, G. Fisher, Holland, Locke and Peery. On motion of Ms. Roland, Representatives Braddock, G. Fisher and Locke were excused. On motion of Mr. Vance, Representatives Betzoff and Holland were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Christopher Mosley and Lindsey Whitrock. Prayer was offered by Mary-Lynne Reiner, Temple Beth Hatfiloh of Olympia.

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

**MESSAGE FROM THE SENATE**

January 25, 1991

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 5195,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

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

**INTRODUCTIONS AND FIRST READING**

HB 1343 by Representatives Sprenkle, Braddock, Riley, R. Meyers, Dorn, Fuhrman, D. Sommers, Wynne, Edmondson, Chandler, Vance, Van Luven, Wood, Moyer, Miller, Brumsickle, Bowman, Paris, Casada, Ballard, Broback, G. Fisher, Ludwig, Inslee, R. Johnson, Orr, Sheldon, Forner, Silver, Jacobsen and R. King

AN ACT Relating to HIV testing of alleged sex offenders; and amending RCW 70.24.105 and 70.24.340.

Referred to Committee on Judiciary.

**HB 1344** by Representatives Winsley, Peery, G. Fisher, Brough, Holland, Vance, Brumsickle, Ferguson and Broback

AN ACT Relating to the teachers' salary allocation schedule; and amending RCW 28A.150.410.

Referred to Committees on Education/Appropriations.

**HB 1345** by Representatives D. Sommers, Mielke, Day, Winsley, Moyer, Riley, Wynne, Vance, Brumsickle, Bowman, Paris, Broback, Orr, Tate, Dellwo, Silver and Jacobsen

AN ACT Relating to assaults on staff at state institutions; amending RCW 9A.36.031 and 9A.36.100; and providing penalties.

Referred to Committee on Judiciary.

**HB 1346** by Representatives Silver, Zellinsky, Chandler, Tate, Day, Neher, Edmondson, Lisk, Broback, Padden, D. Sommers, Winsley, Wynne, Moyer, Miller, Horn, Paris and Betrozoff

AN ACT Relating to collection of debts; amending RCW 12.40.105, 12.40.070, and 62A.3-515; and adding a new chapter to Title 19 RCW.

Referred to Committee on Financial Institutions & Insurance.

**HB 1347** by Representatives Cole, Prentice, Winsley, Heavey, Wood, Anderson, R. King, Jacobsen, Brough, Edmondson, Miller, Paris, G. Fisher, Ludwig, Pruitt, Phillips, Sprengle and Brekke

AN ACT Relating to leave from employment to care for children; and amending RCW 49.12.270.

Referred to Committee on Commerce & Labor.

**HB 1348** by Representatives Prentice, Heavey, Winsley, Jones, Dellwo, R. King, Franklin, R. Fisher, Phillips, Ebersole, O'Brien, Cole, G. Fisher, Basich and Jacobsen

AN ACT Relating to providing for arbitration in public transportation labor negotiations; amending RCW 35.58.265, 36.57.090, and 36.57A.120; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Commerce & Labor.

**HB 1349** by Representatives Sheldon, P. Johnson, Haugen, Basich, Wilson and Brumsickle

AN ACT Relating to the taxation of shellfish; and amending RCW 82.27.030.

Referred to Committee on Revenue.

HB 1350 by Representatives Sheldon, P. Johnson, R. King, Schmidt, Wilson, Zellinsky, Jacobsen, Neher, Bowman, Paris, Ludwig, Wineberry, Fuhrman, Haugen, Roland, Mitchell, Brumsickle, Betrozoff and G. Fisher

AN ACT Relating to management and enhancement of Hood Canal salmon resources; adding new sections to chapter 75.28 RCW; and creating new sections.

Referred to Committee on Fisheries & Wildlife.

HB 1351 by Representatives R. Meyers, Padden, Mielke, Ludwig, Winsley, Broback, Riley, Horn, May, Brough, Scott and Dellwo

AN ACT Relating to pen registers and trap and trace devices; reenacting and amending RCW 9.73.030; adding a new chapter to Title 9 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1352 by Representatives Jones, Vance, Cole, Wynne, Moyer, Miller, Paris, Ballard, May, Basich, Forner and Silver; by request of Department of Labor & Industries

AN ACT Relating to confidential information acquired by the department of labor and industries through research, experiments, demonstrations, and employer-requested services; and amending RCW 49.17.210, 49.17.250, and 51.36.060.

Referred to Committee on Commerce & Labor.

HB 1353 by Representatives R. King, Jones and Cole; by request of Department of Labor & Industries

AN ACT Relating to industrial insurance coverage; amending RCW 51.08.070, 51.08.180, 51.12.020, 51.12.100, and 51.12.110; adding a new section to chapter 51.08 RCW; and repealing RCW 51.12.115.

Referred to Committee on Commerce & Labor.

HB 1354 by Representatives Franklin, Jones and Cole; by request of Department of Labor & Industries

AN ACT Relating to industrial insurance assessments; and amending RCW 51.16.200 and 51.48.150.

Referred to Committee on Commerce & Labor.

HB 1355 by Representatives R. King, Jones, Cole and Wang; by request of Department of Labor & Industries

AN ACT Relating to civil penalties for industrial safety and health violations; amending RCW 49.17.180; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 1356 by Representatives Heavey, Prentice and Franklin; by request of Department of Labor & Industries

AN ACT Relating to plumbing; amending RCW 18.106.010; adding a new section to chapter 18.106 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1357 by Representatives Fraser, Holland, Wang, Wynne, Winsley, Moyer, Paris and May; by request of Department of Revenue

AN ACT Relating to the public disclosure of tax information; amending RCW 82.32.330; adding a new section to chapter 82.32 RCW; and prescribing penalties.

Referred to Committee on Revenue.

HB 1358 by Representatives Dorn, Holland, Neher, Peery, Sprenkle, Brumsickle, Rasmussen, Inslee, R. Meyers, Winsley, Edmondson, Mielke, Miller, Betrozoff, G. Fisher, Basich, Pruitt, Orr, H. Myers, Roland, Rayburn and Anderson

AN ACT Relating to school and educational service districts' employee attendance incentive programs; and amending RCW 28A.310.490 and 28A.400.210.

Referred to Committee on Education.

HB 1359 by Representatives Anderson, Fuhrman, Kremen, Ferguson, Heavey, Chandler, Zellinsky, Nelson, H. Myers, Sprenkle, McLean, Hargrove, Beck, Van Luvan, Wilson, Schmidt, Horn, Brough, Forner, Peery, R. Meyers, Dorn, D. Sommers, Winsley, Wynne, Mitchell, Edmondson, Cooper, P. Johnson, Vance, Wood, Moyer, Miller, Brumsickle, Bowman, Paris, Ballard, Broback, May, G. Fisher, Basich, Ludwig, Inslee, Pruitt, Belcher, Orr, Ogden, Phillips, Roland, Rasmussen, Fraser, Scott, Tate, Dellwo, Sheldon, Jacobsen, Rayburn and R. King

AN ACT Relating to employee benefits while on active duty during operation Desert Shield; amending RCW 28B.10.407, 41.26.190, 41.26.520, 41.32.260, 41.32.810, 41.40.170, and 41.40.710; adding a new section to chapter 28A.400 RCW; adding a new section to chapter 41.04 RCW; adding a new section to chapter

41.32 RCW; adding a new section to chapter 43.43 RCW; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1360 by Representatives Edmondson, Rayburn, Lisk, Chandler, Hochstatter, Wynne and Inslee

AN ACT Relating to funding criminal justice enhancement for Yakima county; making an appropriation; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1361 by Representatives Edmondson, Chandler, Lisk, Rayburn, Hochstatter, Inslee and Bray

AN ACT Relating to rebuilding the Clear Creek dam; creating new sections; and making an appropriation.

Referred to Committees on Natural Resources & Parks/Appropriations.

HB 1362 by Representatives Heavey, Vance, Prentice, Winsley, R. King, Wood, Van Luven, Beck, Dorn, Forner, Riley and Nelson

AN ACT Relating to public employees' collective bargaining; and amending RCW 41.56.030.

Referred to Committee on Commerce & Labor.

HB 1363 by Representatives Berozoff, Brumsickle, Peery, Brough, G. Fisher, Valle, Cole, Vance, Winsley, P. Johnson, Horn, Paris, Ballard, Broback, Pruitt, Phillips, Tate and Orr

AN ACT Relating to education; amending RCW 28A.150.260; and adding new sections to chapter 28A.150 RCW.

Referred to Committees on Education/Appropriations.

HB 1364 by Representatives Forner, D. Sommers, Winsley, Wynne, Mitchell, Edmondson, P. Johnson, Chandler, Vance, Wood, Moyer, Miller, Brumsickle, Bowman, Horn, Paris, Casada, Ballard, Brough, Tate and Lisk

AN ACT Relating to military leave for public employees; amending RCW 38.40.060; creating a new section; and declaring an emergency.

Referred to Committee on State Government.

HB 1365 by Representatives Phillips, Peery, Holland, Valle, Prentice, Cole, Wineberry, Jones, Nelson, Jacobsen and Wang

AN ACT Relating to teacher education; and adding a new section to chapter 28A.305 RCW.

Referred to Committee on Education.

HB 1366 by Representatives Zellinsky, Broback, Dellwo, Paris, R. Johnson, Winsley, Sheldon, Anderson, Inslee, R. Meyers, Schmidt, Dorn, Scott, Wynne, Ferguson, Mielke, Wood, Bowman, May, Betrozoff, Sprenkle, McLean, Lisk, Silver and Wang

AN ACT Relating to the effects of terrorism on insurance liability; and amending RCW 48.23.260.

Referred to Committee on Financial Institutions & Insurance.

HB 1367 by Representatives Mielke, Ludwig, Rayburn, Inslee, Riley, Edmondson, Anderson, D. Sommers, Winsley, Vance, Moyer, Miller, Brumsickle, Bowman, Horn, May, Betrozoff, Bray, Orr, Tate, Sheldon and Silver; by request of Attorney General

AN ACT Relating to community involvement in stopping crime through creation of a Crime Stoppers assistance office; adding new sections to chapter 43.10 RCW; creating new sections; and making an appropriation.

Referred to Committees on Judiciary/Appropriations.

HB 1368 by Representatives Haugen, R. King, H. Sommers, Prince, Silver, Morris, Wood, Moyer and Miller; by request of Department of Wildlife

AN ACT Relating to local assessments against public lands used for wildlife conservation and recreational purposes; and amending RCW 77.12.230, 35.43.042, 35.43.050, 35.44.010, 35.58.500, 36.61.010, 36.69.200, 36.73.080, 36.83.050, 36.88.080, 36.89.085, 36.94.140, 52.20.010, 53.08.050, 53.20.050, 54.16.120, 56.08.012, 56.20.010, 57.16.050, 79.44.010, and 86.15.160.

Referred to Committee on Local Government.

HB 1369 by Representatives Belcher, Silver, Rasmussen, Spanel and Morris; by request of Department of Wildlife

AN ACT Relating to permits or licenses issued by the department of wildlife, department of fisheries, or the state parks and recreation commission; and amending RCW 4.24.210.

Referred to Committee on Natural Resources & Parks.

HB 1370 by Representatives H. Sommers, R. King, Haugen, Prince, Rasmussen, Spanel, Morris, Winsley, Betrozoff, Phillips and Jacobsen; by request of Department of Wildlife

AN ACT Relating to open space lands used for wildlife conservation and recreational purposes; amending RCW 77.12.201, 77.12.203, and 84.34.020; and creating a new section.

Referred to Committee on Natural Resources & Parks.

HB 1371 by Representatives Hargrove, Winsley, Prentice, Morris, Tate, Riley, Leonard, H. Myers, D. Sommers, Wynne, Moyer, Miller and May; by request of Department of Corrections

AN ACT Relating to probationer assessments; and amending RCW 9.94A.270, 72.04A.120, and 9.94A.120.

Referred to Committee on Human Services.

HB 1372 by Representatives Hargrove, Winsley, Prentice, Morris, Tate, Riley, Leonard and H. Myers; by request of Department of Corrections

AN ACT Relating to interstate parole and probation hearing procedures; and repealing RCW 9.95B.010, 9.95B.020, 9.95B.030, 9.95B.040, and 9.95B.900.

Referred to Committee on Human Services.

HB 1373 by Representatives Hargrove, Winsley, Prentice, Morris, Tate, Riley, Leonard, H. Myers and Dellwo; by request of Department of Corrections

AN ACT Relating to legal financial obligations; amending RCW 9.94A.145; adding new sections to chapter 9.94A RCW; creating new sections; prescribing penalties; and declaring an emergency.

Referred to Committee on Human Services.

HB 1374 by Representatives Ebersole, Brough, Pruitt, R. Fisher, Phillips, Winsley, Dorn, Rasmussen, H. Sommers, Orr, R. Meyers, Basich, McLean, Scott, Ludwig, O'Brien, Jacobsen, Rayburn and Brekke

AN ACT Relating to programs for at-risk students; and amending RCW 28A.175.030.

Referred to Committee on Education.

HB 1375 by Representatives Haugen, Chandler, Ferguson, Anderson, D. Sommers, Wynne, Moyer, Miller, Bowman, Pruitt, Dellwo and Rayburn

AN ACT Relating to county and state revenue responsibilities for defense costs; amending RCW 2.50.040, 2.50.050, 2.50.060, and 2.50.080; and adding a new section to chapter 2.50 RCW.

Referred to Committee on Appropriations.

HB 1376 by Representatives Wang, Holland, Fraser, Silver, Phillips, Brumsickle, Wynne, Horn, Pruitt, Orr, Sprenkle, Hine and Brekke; by request of Software Study Committee

AN ACT Relating to the taxation of computer software; amending RCW 84.36.815; amending 1990 c 255 s 2 (uncodified); adding a new section to chapter 84.04 RCW; adding a new section to chapter 84.36 RCW; adding a new section to chapter 84.40 RCW; and creating new sections.

Referred to Committee on Revenue.

HB 1377 by Representatives Peery, Cole, G. Fisher, Betrozoff, Miller and Jacobsen; by request of Board of Health

AN ACT Relating to the screening program for scoliosis; amending RCW 28A.210.180, 28A.210.190, and 28A.210.200; and repealing RCW 28A.210.230.

Referred to Committee on Health Care.

HB 1378 by Representatives Appelwick, Miller, Belcher, Locke, H. Myers, Prentice, Fraser, Leonard, Anderson and Scott

AN ACT Relating to superior court fees; amending RCW 36.18.020, 36.18.025, and 43.08.250; adding a new section to chapter 43.08 RCW; adding a new section to chapter 36.18 RCW; and making an appropriation.

Referred to Committee on Judiciary.

HB 1379 by Representatives Cooper, Wood, Haugen and Zellinsky

AN ACT Relating to sewer and water districts; amending RCW 56.20.030, 56.20.080, 57.16.060, and 57.16.090; adding a new section to chapter 56.08 RCW; adding a new section to chapter 57.08 RCW; and prescribing penalties.

Referred to Committee on Local Government.

HB 1380 by Representatives Winsley, Rust, Cole, D. Sommers, Moyer, Miller, Bowman, Paris and May

AN ACT Relating to official misrepresentation; and adding a new section to chapter 42.20 RCW.

Referred to Committee on State Government.

HB 1381 by Representatives Leonard, Jones and Cole

AN ACT Relating to industrial insurance compensation; and adding a new section to chapter 51.32 RCW.

Referred to Committee on Commerce & Labor.

HB 1382 by Representatives Belcher, Leonard, Prentice, Jones, Miller, Moyer, R. Johnson, Orr, Phillips, Jacobsen, Brekke and Anderson

AN ACT Relating to child care; and making an appropriation.

Referred to Committee on Appropriations.

HB 1383 by Representative Heavey

AN ACT Relating to certified payrolls; and amending RCW 39.12.040.

Referred to Committee on Commerce & Labor.

HB 1384 by Representatives Ebersole, Winsley, R. Meyers, Kremen, Hargrove, Jones, Basich, Riley and Orr

AN ACT Relating to retirement for service; and amending RCW 41.26.430, 41.32.765, and 41.40.630.

Referred to Committee on Appropriations.

HB 1385 by Representative Valle

AN ACT Relating to assessed valuation of property; adding new sections to chapter 84.40 RCW; and adding a new section to chapter 82.45 RCW.

Referred to Committee on Revenue.

HB 1386 by Representatives Valle, Miller, Jacobsen, Wood, Fraser, Bowman, Wineberry, Winsley, Van Loven, Brumsickle, Basich, Ludwig, Inslee, Pruitt, Franklin, Ogden, Phillips, Roland, Heavey, Dellwo, O'Brien and Wang

AN ACT Relating to student scholarships; and adding a new chapter to Title 28B RCW.

Referred to Committees on Higher Education/Appropriations.

HB 1387 by Representatives R. King, Fuhrman, Basich, Padden, Morris, Hochstatter, Orr, Edmondson, Chandler, Bowman, Paris and Ballard

AN ACT Relating to siting fin fish rearing facilities; adding a new section to chapter 90.58 RCW; and adding a new section to chapter 43.21B RCW.

Referred to Committee on Fisheries & Wildlife.

HB 1388 by Representatives Fraser, D. Sommers, Belcher, Winsley, Rust, Wynne, Paris, Pruitt, Brough, Tate, Forner and Brekke

AN ACT Relating to limits on phosphorus contents in certain detergents; adding new sections to Title 70 RCW; and prescribing penalties.

Referred to Committee on Environmental Affairs.

HB 1389 by Representatives Fraser, Winsley, Rust and Belcher

AN ACT Relating to aquatic plants; adding new sections to chapter 43.21A RCW; adding a new section to chapter 46.16 RCW; creating a new section; and making an appropriation.

Referred to Committee on Environmental Affairs.

HB 1390 by Representatives Hine, Leonard, Winsley, Belcher, Holland, Prentice, Jones, Sprengle, Fraser, Brekke, H. Myers, Anderson, Riley, Heavey, Inslee, R. Meyers, Dorn, Cooper, G. Fisher, Basich, Pruitt, Bray, Franklin, Phillips, Valle, Roland, Rasmussen, Scott, Dellwo, Sheldon, O'Brien, Jacobsen, Wang and Rayburn

AN ACT Relating to establishment of a community mobilization program for teens; adding a new chapter to Title 74 RCW; creating a new section; and making an appropriation.

Referred to Committees on Human Services/Appropriations.

HB 1391 by Representatives Paris, Beck, Sheldon, Wood, Riley, Roland, R. Johnson, Franklin, Ludwig, Hochstatter, Chandler, Ballard, Forner, Casada, Brumsickle, Mielke, Padden, Mitchell, Morton, Broback, Betrozoff and Basich

AN ACT Relating to proof of insurance; amending RCW 46.30.020 and 46.30.040; and prescribing penalties.

Referred to Committee on Financial Institutions & Insurance.

HB 1392 by Representatives Locke, Prince, Braddock, Ballard, Wang and Brekke

AN ACT Relating to acupuncture; amending RCW 18.06.010, 18.06.020, 18.06.030, 18.06.040, 18.06.080, 18.06.090, 18.06.110, 18.06.120, 18.06.130, 18.06.140, 18.06.170, and 18.06.190; adding a new section to chapter 18.06 RCW; creating a new section; and repealing RCW 18.06.910 and 18.06.911.

Referred to Committee on Health Care.

HB 1393 by Representatives Beck, R. King, Bowman, H. Myers, Anderson, Riley, D. Sommers, Winsley, Wynne, Mitchell, Edmondson, Moyer, Miller, Brumsickle, May, R. Johnson, Cole, McLean and Scott

AN ACT Relating to child abuse in preschools, nursery schools, and private kindergartens; amending RCW 74.13.031; adding a new section to chapter 26.44 RCW; and adding a new section to chapter 19.02 RCW.

Referred to Committee on Human Services.

HB 1394 by Representatives Beck, R. King, Bowman, D. Sommers, Wynne, Moyer, Miller, Paris and Cole

AN ACT Relating to day care licensing requirements; and amending RCW 74.15.020.

Referred to Committee on Human Services.

HB 1395 by Representatives Ludwig, Nealey, Bray, Haugen, Lisk, Braddock, Grant, Neher, Edmondson, Prince, Ogden, Rayburn, Riley, H. Myers, Morris, Jones, R. Meyers, Wynne, Chandler, G. Fisher, Basich, Inslee, Orr, Sprengle, Scott, Dellwo, Jacobsen and Brekke

AN ACT Relating to maintaining the Washington state patrol crime laboratory system; amending RCW 43.43.670; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1396 by Representative D. Sommers

AN ACT Relating to military service credit; and amending RCW 41.40.170.

Referred to Committee on Appropriations.

HB 1397 by Representatives Beck, Prentice, Paris, Betrozoff, Braddock, Wood, May, Cole and Brekke

AN ACT Relating to the medical disciplinary board; amending RCW 18.71.019; and adding a new section to chapter 18.71 RCW.

Referred to Committee on Health Care.

HB 1398 by Representatives Beck, Wood, Nealey, Hochstatter and Fuhrman

AN ACT Relating to teachers' strikes; and adding new sections to chapter 41.59 RCW.

Referred to Committee on Education.

HB 1399 by Representatives Beck, Cantwell, Heavey, Sheldon, Forner, R. King, Casada, Roland, Moyer, Betrozoff and G. Fisher

AN ACT Relating to home electronic and appliance consumer warranties; adding a new chapter to Title 19 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1400 by Representatives Morton, Grant, Fuhrman, Bray, Sprenkle, Morris, Chandler, Paris, Rasmussen, McLean, Forner and Rayburn; by request of Department of Health

AN ACT Relating to rural health; and amending RCW 70.175.050.

Referred to Committee on Health Care.

HB 1401 by Representatives Wang, Wynne, Ballard, D. Sommers, Winsley, Cooper, Vance, Mielke, Van Luven, Moyer, Miller, Brumsickle, Bowman, Horn, Paris, May, Betrozoff, Inslee, R. Meyers, Pruitt, Zellinsky, Bray, Franklin, Ogden, Phillips, Valle, H. Myers, Rasmussen, Fraser, Sprenkle, Heavey, Scott, Tate, Dellwo, Silver, Jacobsen, Hine, Brekke and Peery

AN ACT Relating to taxpayer rights and responsibilities; and adding a new chapter to Title 82 RCW.

Referred to Committee on Revenue.

HB 1402 by Representatives Morris, Holland, Wang, Wynne, Van Luven, Ogden and Fraser

AN ACT Relating to excise tax penalties and interest; amending RCW 82.32.050, 82.32.060, and 82.32.090; providing an effective date; and declaring an emergency.

Referred to Committee on Revenue.

HB 1403 by Representatives Padden, Hochstatter, Hargrove, D. Sommers and Morton

AN ACT Relating to written marriage contracts; amending RCW 26.09.010 and 26.09.030; reenacting and amending RCW 26.09.020 and 26.09.150; and adding new sections to chapter 26.09 RCW.

Referred to Committee on Judiciary.

HB 1404 by Representatives Padden, Fuhrman and Morton

AN ACT Relating to public transportation; and adding a new chapter to Title 47 RCW.

Referred to Committee on Transportation.

HB 1405 by Representatives Padden, D. Sommers, Zellinsky, Mielke, Silver, Orr and Moyer

AN ACT Relating to counties; creating a new section; and repealing 1990 c 252 s 9.

Referred to Committee on Local Government.

HB 1406 by Representatives Jacobsen, Basich and Bowman

AN ACT Relating to ocean resources information; and adding a new section to chapter 43.143 RCW.

Referred to Committee on Natural Resources & Parks.

HB 1407 by Representatives Dellwo, O'Brien, Heavey, Cantwell, Anderson, Wineberry and Valle

AN ACT Relating to investment of state funds in corporations doing business in Northern Ireland; and adding new sections to chapter 43.84 RCW.

Referred to Committee on State Government.

HB 1408 by Representatives Dellwo, Silver, Orr, Padden, D. Sommers and Mielke

AN ACT Relating to licenses to sell liquor in motels; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Commerce & Labor.

HB 1409 by Representatives Jacobsen, H. Sommers, Wood, Wineberry, Nelson, May, Ogden, Miller, Sheldon, Basich, Paris, Spanel, Phillips, Rasmussen and Anderson

AN ACT Relating to higher education retirement plans; amending RCW 28B.10.420; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

SB 5195 by Senators McDonald, Hayner, Bluechel, Cantu, Roach, von Reichbauer, Oke, Thorsness, Metcalf, Johnson, Erwin, West, Nelson and Conner

Using 1989 property valuations and assessments for 1991 property taxes.

Referred to Committee on Revenue.

#### MOTION

On motion of Mr. Dorn, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

#### REPORTS OF STANDING COMMITTEES

January 23, 1991

HB 1060 Prime Sponsor, Representative Ludwig: Requiring the notice to the creditors of a deceased person to be filed with the clerk of the court. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Republican Member; Paris, Assistant Ranking Republican Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representative Wineberry.

Passed to Committee on Rules for second reading.

January 23, 1991

HB 1062 Prime Sponsor, Representative Ludwig: Broadening the power of fiduciaries to divide trusts. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Republican Member; Paris, Assistant Ranking Republican Member; Belcher; Broback; Forner; Hargrove; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

MINORITY recommendation: Without recommendation. Signed by Representative Locke.

Excused: Representative Wineberry.

Passed to Committee on Rules for second reading.

January 23, 1991

HB 1063 Prime Sponsor, Representative Ludwig: Revising provisions on disposition of disclaimed interest. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Republican Member; Paris, Assistant Ranking Republican Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representative Wineberry.

Passed to Committee on Rules for second reading.

#### MOTION

The Speaker (Mr. O'Brien presiding) referred the bills listed on today's committee reports under the fifth order of business to the committees so designated.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker called the House to order.

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

#### MOTIONS

On motion of Mr. Dorn, House Bill No. 1082 was referred from Committee on State Government to Committee on Health Care.

On motion of Mr. Dorn, House Bill No. 1196 was referred from Committee on Higher Education to Committee on Energy & Utilities.

On motion of Mr. Dorn, House Bill No. 1276 was referred from Committee on State Government to Committee on Education.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:  
HOUSE CONCURRENT RESOLUTION NO. 4402.

#### ANNOUNCEMENT BY THE SPEAKER

The Speaker announced that the following members had been appointed to the 1991 Memorial Service Committee: Speaker Pro Tempore John L. O'Brien, Representative Jennifer Belcher and Representative Shirley Winsley.

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

MOTION

On motion of Mr. Dorn, the House adjourned until 12 Noon, Tuesday, January 29, 1991.

ALAN THOMPSON, Chief Clerk

JOSEPH E. KING, Speaker

**SIXTEENTH DAY**-----  
**NOON SESSION**  
-----

House Chamber, Olympia, Tuesday, January 29, 1991

The House was called to order at 12:00 Noon by the Speaker (Mr. Dorn presiding).

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

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

**INTRODUCTIONS AND FIRST READING**

HB 1410 by Representatives Scott, Brough, Valle, Forner, Cole, Beck, Leonard, Wood, Brekke, Wineberry, Anderson, R. Fisher, Locke, Hine, Ludwig, Holland, Jones, Belcher, Winsley and Sheldon

AN ACT Relating to the use of controlled substances and alcohol during pregnancy; adding a new chapter to Title 70 RCW; creating a new section; and making an appropriation.

Referred to Committees on Health Care/Appropriations.

HB 1411 by Representatives Hochstatter, Chandler, Nealey, Prince and Fuhrman

AN ACT Relating to the distribution of receipts from the privilege tax imposed on public utility districts operating facilities for the generation, distribution, and sale of electric energy; and amending RCW 54.28.010.

Referred to Committee on Energy & Utilities.

HB 1412 by Representatives Wineberry, Padden, Jacobsen, Tate, Prentice, Paris, Locke, Belcher, O'Brien, Leonard and Anderson

AN ACT Relating to racial disproportionality in the juvenile justice system; creating new sections; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committees on Human Services/Appropriations.

HB 1413 by Representatives Wineberry, Jacobsen, Prentice and Anderson

AN ACT Relating to treatment programs for African-American juvenile offenders; adding a new section to chapter 13.40 RCW; creating new sections; and making an appropriation.

Referred to Committees on Human Services/Appropriations.

HB 1414 by Representatives Wineberry, Winsley, Leonard, Ballard, Franklin, Mitchell, Ogden, Locke, Ludwig, Scott, Cooper, Rasmussen, Bowman, Cantwell, Tate, Van Luven, Cole, Forner, Jones, Ferguson, Mielke, Riley, Roland, O'Brien, Betzoff, G. Fisher, Edmondson, Paris and Miller

AN ACT Relating to property tax exemptions for first-time homebuyers; adding a new section to chapter 84.36 RCW; creating a new section; and providing a contingent effective date.

Referred to Committees on Housing/Revenue.

HB 1415 by Representatives R. Meyers, Schmidt, Brough, Silver, Jones, Tate, Winsley, Ferguson, Betzoff, Neher, Paris and Miller

AN ACT Relating to suspension of drivers' licenses; and amending RCW 46.20.311.

Referred to Committee on Transportation.

HB 1416 by Representatives R. King, Fuhman, Hochstatter, Padden, Basich, Morris, Dorn, R. Meyers and Winsley

AN ACT Relating to game fish mitigation; and adding a new chapter to Title 77 RCW.

Referred to Committee on Fisheries & Wildlife.

HB 1417 by Representatives Rasmussen, Brumsickle, Peery, Winsley, G. Fisher, Tate, Roland, Dorn, Orr, Basich, Bowman, Fraser, Valle, Spanel, Haugen and Betzoff

AN ACT Relating to volunteer programs in schools; creating a new section; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 1418 by Representatives Rasmussen, Winsley, Leonard, Tate, Moyer, Brumsickle, Bowman, Beck, Wood, R. Meyers, Dorn, Basich, Hine, Haugen, Scott, Pruitt and Wineberry

AN ACT Relating to youth and family services; amending RCW 70.96A.095, 71.34.030, and 13.32A.250; adding a new chapter to Title 13 RCW; and making appropriations.

Referred to Committees on Human Services/Appropriations.

HB 1419 by Representatives Spanel, Jacobsen, Sheldon, Wood, Van Luven, Miller, Brekke, Fraser, R. King, Prentice, R. Johnson, Valle, Nelson, Haugen, Scott, Jones and Winsley

AN ACT Relating to community college faculty; adding new sections to chapter 28B.50 RCW; providing a contingent effective date; and declaring an emergency.

Referred to Committees on Higher Education/Appropriations.

HB 1420 by Representatives Leonard, Jacobsen, Winsley, Wineberry, Brekke, Ogden, R. King, Riley, Beck, H. Myers and Haugen

AN ACT Relating to the Washington family policy center; adding new sections to chapter 28B.20 RCW; and making an appropriation.

Referred to Committees on Human Services/Appropriations.

HB 1421 by Representatives Ogden, Nelson, Mitchell, Franklin, Ferguson, Haugen, Cooper, Rayburn, Roland, Wood, Edmondson, Wynne, Nealey, Zellinsky, Ballard, Winsley, Paris, R. King, R. Meyers, Dellwo, Scott, Tate, Van Luven, Forner, Betrozoff, Wineberry, Leonard and Anderson

AN ACT Relating to sales of affordable housing; and amending RCW 82.45.010, 82.45.032, and 82.45.120.

Referred to Committee on Housing.

HB 1422 by Representatives Ogden, Wood, Jacobsen, Winsley, Roland, May, R. King, Dellwo, Tate, Wineberry, Paris and Miller

AN ACT Relating to college and university fees; and adding a new section to chapter 28B.15 RCW.

Referred to Committees on Higher Education/Appropriations.

HB 1423 by Representatives Zellinsky, Schmidt and Phillips

AN ACT Relating to pilot examinations; and reenacting and amending RCW 88.16.090.

Referred to Committee on Transportation.

HB 1424 by Representatives Franklin, Wineberry, Jacobsen, Cole, Heavey, Paris, Ogden, Moyer, Zellinsky, Nelson, Ferguson, Edmondson, Wood, Wynne, R. Meyers, Locke, Dellwo, R. Fisher, Van Luven, O'Brien, Betzoff and Anderson

AN ACT Relating to the African American endowed scholarship program; and adding a new chapter to Title 28B RCW.

Referred to Committees on Higher Education/Appropriations.

HB 1425 by Representatives Brekke, Winsley and Leonard

AN ACT Relating to the commission on runaway children; creating new sections; and providing an expiration date.

Referred to Committee on Human Services.

HB 1426 by Representatives Grant, Ballard, Rayburn, Nealey, Rust, Belcher, Ludwig, Prince, Heavey, Inslee, Bray, Rasmussen, Jacobsen, Lisk, Kremen, Spanel and Edmondson

AN ACT Relating to research and extension programs of Washington State University; adding a new chapter to Title 15 RCW; and making an appropriation.

Referred to Committees on Agriculture & Rural Development/Appropriations.

HB 1427 by Representatives H. Sommers and Schmidt; by request of Governor Gardner

AN ACT Adopting the capital budget; making appropriations and authorizing expenditures for the capital improvements; and declaring an emergency.

Referred to Committee on Capital Facilities & Financing.

HB 1428 by Representatives Neher, H. Sommers and Schmidt; by request of Office of Financial Management

AN ACT Relating to the content of budget documents; amending RCW 43.88.030; and adding a new section to chapter 43.88 RCW.

Referred to Committee on Appropriations.

HB 1429 by Representatives H. Sommers, Schmidt and Neher; by request of Office of Financial Management

AN ACT Relating to the capital budget; amending 1990 c 299 s 202 (uncodified); amending 1989 1st ex.s. c 12 s 395 (uncodified); amending 1989 1st ex.s. c 12 s 397 (uncodified); amending 1989 1st ex.s. c 12 s 398 (uncodified); amending 1989 1st ex.s. c 12 s 462 (uncodified); amending 1989 1st ex.s. c 12 s

466 (uncodified); amending 1989 1st ex.s. c 12 s 709 (uncodified); amending 1989 1st ex.s. c 12 s 729 (uncodified); amending 1989 1st ex.s. c 12 s 733 (uncodified); amending 1989 1st ex.s. c 12 s 739 (uncodified); amending 1989 1st ex.s. c 12 s 792 (uncodified); adding new sections to chapter 12, Laws of 1989 1st ex.s. (uncodified); repealing 1989 1st ex.s. c 12 s 464 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Capital Facilities & Financing.

HB 1430 by Representative H. Sommers; by request of Governor Gardner.

AN ACT Relating to state general obligation and revenue bonds and related accounts; amending RCW 43.99H.060 and 28B.14D.900; adding new chapters to Title 43 RCW; and declaring an emergency.

Referred to Committee on Capital Facilities & Financing.

HB 1431 by Representatives R. Fisher, R. Meyers and Betrozoff

AN ACT Relating to the Model Traffic Ordinance; amending RCW 46.90.300, 46.90.300, and 46.90.406; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 1432 by Representatives Belcher, Betrozoff, Hine, G. Fisher, McLean, Grant, Fraser, D. Sommers, Dorn, Brumsickle and Winsley

AN ACT Relating to private retirement accounts for certain teachers and public employees; amending RCW 43.84.090, 41.32.350, and 41.40.330; and adding new chapters to Title 41 RCW.

Referred to Committee on Appropriations.

HB 1433 by Representatives Tate, Hargrove, Winsley, Vance, Riley, Mielke, Padden, Edmondson, Orr, Bowman, Ferguson, D. Sommers, P. Johnson, Inslee, Beck, Lisk, Wynne, Hochstatter, R. Meyers, Kremen, Broback; Van Luven, Forner, Sheldon, McLean, Betrozoff, Wineberry, Neher and Paris

AN ACT Relating to the department of corrections; adding new sections to chapter 72.09 RCW; and creating a new section.

Referred to Committee on Human Services.

HB 1434 by Representatives Hine, Miller, Anderson, McLean, R. King, R. Meyers, Scott, R. Fisher, Cooper, Appelwick, Rasmussen, Dorn, Valle, R. Johnson, Prentice, Cantwell, Cole, Jones, Pruitt, Fraser, Winsley, Sheldon, H. Myers, Riley, Orr, Roland, O'Brien, Ogden, Braddock, Phillips, Nelson, G. Fisher, Wineberry, Haugen, Spanel, Leonard, Sprengle and Dellwo

AN ACT Relating to campaign financing; amending RCW 29.15.050, 29.18.050, 42.17.095, 42.17.390, and 43.03.028; adding a new section to chapter 34.05 RCW; adding a new chapter to Title 42 RCW; adding new sections as a new subchapter in chapter 42.17 RCW; adding new sections to chapter 42.17 RCW; adding a new section to chapter 29.80 RCW; creating new sections; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on State Government.

HB 1435 by Representatives Basich, Peery, Brumsickle, Dorn, McLean, Jacobsen, Holland, Heavey, Bowman, Locke, Sheldon, Rasmussen, Leonard, Phillips, Pruitt, Anderson, Wineberry, Kremen, Rayburn, Winsley, R. King and Scott

AN ACT Relating to development of self-esteem and social responsibility; adding new sections to chapter 28A.300 RCW; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 1436 by Representatives Moyer, Leonard, P. Johnson, Brough, Winsley, Dellwo, Wood, Morris, Forner, Spanel, Mitchell, Franklin, Paris, Heavey, Betrozoff, Ferguson, Nelson, Holland, Roland, Bowman, Rasmussen, Beck, Belcher, Cole, Cantwell, Zellinsky, H. Myers, Basich, R. Johnson, Jacobsen, Peery, Phillips, Van Luven, Wang, Wineberry, Hine, Anderson, Prentice, Pruitt, Brekke, Kremen, Hargrove, Ogden, R. Fisher, Sheldon, Ebersole, R. King, Scott, Fraser and Miller

AN ACT Relating to public assistance; amending RCW 74.04.005 and 74.04.770; adding new sections to chapter 74.04 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committees on Human Services/Appropriations.

HB 1437 by Representatives Basich, R. King, Hochstatter, Fuhrman, Orr, Morris, Jones, Cole, Haugen, Jacobsen, Riley, Wilson, Sheldon, Hargrove, R. Meyers, Kremen and Dorn

AN ACT Relating to game fish enhancement groups; and adding new sections to chapter 77.12 RCW

Referred to Committee on Fisheries & Wildlife.

HB 1438 by Representatives Basich, R. King, Orr, Morris, Fuhrman, Sheldon, Jones, Haugen, Padden, Riley, Hochstatter, Cole and Kremen

AN ACT Relating to the sale of state property; and amending 75.08.230.

Referred to Committee on Fisheries & Wildlife.

HB 1439 by Representatives Cole, Rust, R. Fisher, Nelson and Valle

AN ACT Relating to travel promoters; amending RCW 19.138.010, 19.138.020, 19.138.030, 19.138.040, 19.138.050, 19.138.060, and 19.138.080; adding new sections to chapter 19.138 RCW; repealing RCW 19.138.070; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 1440 by Representatives Winsley, Franklin, Ballard, Nelson, Leonard, Ogden, Wineberry and Miller

AN ACT Relating to mobile home affairs; amending RCW 59.21.060, 59.22.020, 59.22.050, 82.08.065, and 82.45.090; adding new sections to chapter 43.131 RCW; adding a new section to chapter 59.22 RCW; and repealing RCW 59.22.050 and 59.22.900.

Referred to Committee on Housing.

HB 1441 by Representatives Inslee, Schmidt, Dellwo, Winsley, Zellinsky, R. Meyers, Dorn and Anderson

AN ACT Relating to automobile insurance; amending RCW 48.18.292 and 48.18.297; and adding new sections to chapter 48.18 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1442 by Representatives Inslee, Cantwell, Sheldon, Edmondson, Hargrove, Lisk, Rayburn, P. Johnson, Basich, Spanel, Jones, H. Myers, Roland, Riley, Dorn, Bowman, Kremen, Brumsickle, Cooper, Rasmussen, Scott, Winsley, O'Brien, G. Fisher, Wineberry and Leonard

AN ACT Relating to public infrastructure financing for economic development; and amending RCW 43.160.010, 43.160.060, and 43.160.076.

Referred to Committee on Trade & Economic Development.

HB 1443 by Representatives Fraser, McLean, Rayburn, Edmondson, Valle and Jones; by request of Joint Select Com on Water Resource Policy

AN ACT Relating to public water system interties; amending RCW 90.03.390; and adding a new section to chapter 90.03 RCW.

Referred to Committee on Natural Resources & Parks.

HB 1444 by Representatives Miller, Fraser, McLean, Valle, Edmondson, Rayburn and Jones; by request of Joint Select Com on Water Resource Policy

AN ACT Relating to individuals or water purveyors identified as qualified satellite system management agencies; and adding a new section to chapter 70.116 RCW.

Referred to Committee on Natural Resources & Parks.

HB 1445 by Representative Fuhrman

AN ACT Relating to campaign reporting; amending RCW 42.17.080 and 42.17.105; adding a new section to chapter 42.17 RCW; and prescribing penalties. Referred to Committee on State Government.

HB 1446 by Representatives Fuhrman, Cole and Heavey; by request of Department of Licensing

AN ACT Relating to professional licensing; amending RCW 46.01.055 and 43.24.024; and repealing RCW 46.01.050.

Referred to Committee on Commerce & Labor.

HB 1447 by Representatives Cole, Fuhrman and Heavey; by request of Department of Licensing

AN ACT Relating to the payment of regulatory charges by cemetery authorities; and amending RCW 68.05.205.

Referred to Committee on Commerce & Labor.

HB 1448 by Representatives Jacobsen, Anderson, Rust, Brekke, Prentice, Valle, Phillips, Heavey, Appelwick, Locke, H. Sommers, Belcher, Nelson, Hine, Fraser and Wineberry

AN ACT Relating to urban wildlife management areas; adding a new section to chapter 77.12 RCW; and creating a new section.

Referred to Committee on Fisheries & Wildlife.

HB 1449 by Representatives R. Johnson, Wilson, Riley, Spanel, Haugen and Roland

AN ACT Relating to property divisions; and amending RCW 58.17.040.

Referred to Committee on Local Government.

HJR 4210 by Representatives Wineberry, Winsley, Leonard, Ballard, Franklin, Mitchell, Locke, Ludwig, Scott, Bowman, Tate, Ferguson, Mielke, Betzoff, Paris, Miller and Anderson

Amending the Constitution to authorize a three-year property tax exemption for first-time homebuyers.

Referred to Committees on Housing/Revenue.

HJR 4211 by Representatives R. Fisher, Anderson, Nelson, Cole, Rust, Brekke, Jacobsen, H. Sommers, Pruitt, Phillips, Fraser, G. Fisher, Ebersole, Hine, Cantwell, Scott, Valle, Winsley, Riley, Roland, O'Brien, Ogden, Wineberry, Spanel, Leonard and Sprengle

Permitting motor vehicle taxes to be used for transportation purposes.

Referred to Committee on Transportation.

#### MOTION

The Speaker (Mr. Dorn presiding) referred the bills and resolutions listed on today's introduction sheet under the fourth order of business to the committees so designated.

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

#### REPORTS OF STANDING COMMITTEES

January 24, 1991

HB 1120 Prime Sponsor, Representative Roland: Modifying disbursement of daily gross receipts in horse racing. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Republican Member; Lisk, Assistant Ranking Republican Member; Franklin; Jones; R. King; O'Brien; Prentice; and Vance.

Excused: Representative Wilson.

Referred to Committee on Revenue.

January 24, 1991

HB 1206 Prime Sponsor, Representative Jones: Establishing a procedure for collective overpayments and allowing eligible surviving spouses to choose a lump sum payment equal to two years of monthly payments. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavy, Chair; Cole, Vice Chair; Fuhrman, Ranking Republican Member; Lisk, Assistant Ranking Republican Member; Franklin; Jones; R. King; O'Brien; Prentice; and Vance.

Excused: Representative Wilson.

Passed to Committee on Rules for second reading.

#### MOTION

The Speaker (Mr. Dorn presiding) referred the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

#### MOTION

On motion of Ms. Hine, the House adjourned until 10:00 a.m., Wednesday, January 30, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**SEVENTEENTH DAY**

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**MORNING SESSION**

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House Chamber, Olympia, Wednesday, January 30, 1991

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Appelwick, Basich, Belcher, Brekke, Morris, Pruitt and H. Sommers.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Arnold Myers, Jr. and Molly Dullanty. Prayer was offered by Mary-Lynne Reiner, Temple Beth Hatfiloh of Olympia.

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

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

**INTRODUCTIONS AND FIRST READING**

HB 1450 by Representatives Peery, H. Myers, Morris and Cooper

AN ACT Relating to a business and occupation tax credit for services and information provided to the state by a public safety testing laboratory; adding a new section to chapter 82.04 RCW; and providing an effective date.

Referred to Committee on Revenue.

HB 1451 by Representatives R. Fisher, Braddock, Ferguson, Phillips, Jacobsen and Cole

AN ACT Relating to speed limits; and amending RCW 46.61.400, 46.61.405, and 46.61.410.

Referred to Committee on Transportation.

HB 1452 by Representatives R. Fisher, G. Fisher, Cole, Fraser, Phillips, Rust, Haugen, Belcher, Hine, R. Meyers, Locke, Riley, Heavey, R. Johnson, Wilson, Betzoff, Valle, Wynne, R. King, Scott, Cooper, Pruitt, Ogden, Roland, Nelson, Spanel, Brekke and Wineberry

AN ACT Relating to high-speed ground transportation; amending RCW 47.86.030; creating new sections; making an appropriation; and providing an expiration date.

Referred to Committee on Transportation.

HB 1453 by Representatives Bray, Horn, Rust, Valle, Belcher and Fraser; by request of Department of Ecology

AN ACT Relating to water well construction and well driller licensing; amending RCW 18.104.020, 18.104.030, 18.104.040, 18.104.050, 18.104.070, 18.104.100, 43.21B.110, 18.104.150, 89.16.055, 18.104.155, and 18.104.180; adding new sections to chapter 18.104 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Environmental Affairs.

HB 1454 by Representatives Rust, Horn, Betrozoff and Nealey; by request of Department of Ecology

AN ACT Relating to underground storage tank law preemption; and amending RCW 90.76.110.

Referred to Committee on Environmental Affairs.

HB 1455 by Representatives Haugen, Wilson, Zellinsky, R. King, Spanel, R. Meyers, Leonard and Orr

AN ACT Relating to seaweed; amending RCW 79.68.080; and adding a new chapter to Title 75 RCW.

Referred to Committee on Fisheries & Wildlife.

HB 1456 by Representatives Haugen, Wilson, Zellinsky, Spanel, R. Fisher, Rasmussen, Orr and R. Johnson

AN ACT Relating to hulk haulers and scrap processors; and adding a new section to chapter 46.79 RCW.

Referred to Committee on Transportation.

HB 1457 by Representatives Haugen, Wilson and Zellinsky

AN ACT Relating to on-site sewage additives; amending RCW 70.118.020; adding a new section to chapter 70.118 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environmental Affairs.

HB 1458 by Representatives Ludwig, Heavey, Lisk and Franklin; by request of Department of Licensing

AN ACT Relating to limousine charter party carriers; and amending RCW 46.72.010.

Referred to Committee on Transportation.

HB 1459 by Representatives Sprenkle, Rust, Valle, G. Fisher, Pruitt, Basich, R. Johnson, Jacobsen, Braddock, Phillips, Scott, Cooper, D. Sommers, Roland, Nelson, Spanel, Brekke and Wineberry

AN ACT Relating to recycling; amending RCW 70.93.020, 70.93.030, 70.93.130, 70.93.150, 70.93.180, 70.95.030, 70.95C.120, and 43.31.545; adding new sections to chapter 70.93 RCW; adding a new section to chapter 70.95 RCW; adding new sections to chapter 70.95C RCW; adding new sections to chapter 43.131 RCW; adding a new section to chapter 70.94 RCW; adding a new section to chapter 70.105 RCW; adding new chapters to Title 70 RCW; creating a new section; recodifying RCW 19.114.040; repealing RCW 43.31.552, 43.31.554, 43.31.556, 19.114.010, 19.114.020, 19.114.030, and 19.114.900; prescribing penalties; making appropriations; and declaring an emergency.

Referred to Committee on Environmental Affairs.

HB 1460 by Representatives Franklin, Haugen, Ferguson and Ebersole

AN ACT Relating to drainage districts; adding a new section to chapter 36.96 RCW; and adding a new section to chapter 85.38 RCW.

Referred to Committee on Local Government.

HB 1461 by Representatives Phillips, Holland, Leonard, Peery, Wang, Brough, Rust, Cole, Wineberry, Valle, Betrozoff, Ebersole, Prentice, Heavey, Locke, Nelson, Anderson, Jacobsen, Pruitt, Rasmussen, H. Sommers, Appelwick, May, Dellwo, Winsley, Roland, Brekke and O'Brien

AN ACT Relating to the voluntary elimination, reduction, or prevention of minority group isolation in public elementary and secondary schools; adding new sections to chapter 28A.600 RCW; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 1462 by Representatives Nealey, Haugen, Ferguson, Dorn, May, Tate, Ludwig, Neher, Anderson, Rasmussen, Silver, Mielke, Grant, Rayburn, Fuhrman, Bray and Morton

AN ACT Relating to dogs; amending RCW 16.08.070 and 16.08.090; adding new sections to chapter 16.08 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1463 by Representatives R. King, Fuhrman, Cole, Heavey, Jones and Franklin

AN ACT Relating to employee rights regarding industrial insurance claims; amending RCW 51.52.130; and adding new sections to chapter 51.14 RCW.

Referred to Committee on Commerce & Labor.

HB 1464 by Representatives Prentice, Cole, Heavey, Jacobsen, Franklin, Leonard, Ogden, R. King, Riley, Phillips, Winsley, Jones and R. Meyers

AN ACT Relating to prohibited practices in industrial insurance; amending RCW 51.28.050; adding a new section to chapter 51.48 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 1465 by Representatives Cole, R. King, Jones, Heavey, Franklin and O'Brien

AN ACT Relating to industrial insurance vocational rehabilitation services; and amending RCW 51.32.095.

Referred to Committee on Commerce & Labor.

HB 1466 by Representatives Ludwig, R. King, Cole, Heavey, Jones and Franklin

AN ACT Relating to reimbursement for reasonable attorneys' fees and costs for the collection of, social security benefits; and amending RCW 51.32.220 and 51.32.225.

Referred to Committee on Commerce & Labor.

HB 1467 by Representatives R. Meyers, Padden, Paris, Tate, Mielke, Broback, Forner, Vance, May, Brough, Winsley, D. Sommers, Mitchell and Roland

AN ACT Relating to district judges; and amending RCW 3.34.010.

Referred to Committee on Judiciary.

HB 1468 by Representatives R. Meyers, Ferguson, Jacobsen and Mitchell

AN ACT Relating to high occupancy vehicles; amending RCW 46.52.100 and 46.52.130; and adding a new section to chapter 46.90 RCW.

Referred to Committee on Transportation.

HB 1469 by Representatives Wineberry, Inslee, R. Meyers, Padden, Dellwo and Orr

AN ACT Relating to prejudgment interest; amending RCW 4.56.110; adding a new section to chapter 4.56 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1470 by Representatives Ogden, Brough, H. Sommers, Jacobsen, Schmidt, Wynne, Paris, May, Haugen, Betrozoff, Winsley, Edmondson, Cooper, Wilson, Forner, D. Sommers, Tate, Mitchell, Fraser, Spanel and R. Johnson; by request of Department of Community Development

AN ACT Relating to appropriations for projects recommended by the public works board; creating new sections; making an appropriation; and declaring an emergency.

Referred to Committee on Capital Facilities & Financing.

HB 1471 by Representatives Heavey, Prentice, Jacobsen, Franklin, Ogden, Orr, Winsley, R. King, Jones, Wineberry, Leonard, G. Fisher, Nelson, O'Brien, Cole, Sprenkle, Pruitt, Brekke, Morris, R. Johnson, Cantwell, Spanel, Ebersole, Wang, Phillips, Basich, Valle, Haugen, Scott, Cooper, Roland, Rust and Anderson

AN ACT Relating to "foundation for families act"; amending RCW 49.78.020, 49.78.030, 49.78.040, 49.78.050, 49.78.070, 49.78.130, 74.13.0901, 74.13.0902, 43.31.085, 43.31.512, 74.13.0903, 82.02.020, 49.12.121, 49.12.170, 49.46.130, 49.46.020, 49.46.100, 49.48.040, and 49.48.060; adding new sections to chapter 49.12 RCW; adding a new section to chapter 49.78 RCW; adding a new section to chapter 74.13 RCW; adding a new section to chapter 82.02 RCW; adding new sections to chapter 49.46 RCW; creating new sections; repealing RCW 49.78.060, 49.78.210, and 49.12.123; prescribing penalties; making appropriations; providing effective dates; and declaring an emergency.

Referred to Committees on Commerce & Labor/Appropriations.

HB 1472 by Representatives Cole; Heavey, Prentice, Jacobsen, Wood, Zellinsky, R. Johnson, Jones, Winsley, Phillips, Braddock, R. King, Nelson, Leonard, Franklin, Valle, Rust, Roland, Haugen, Riley, Fraser, Belcher, Scott, Dorn, R. Fisher, Cooper, Pruitt, Ebersole, Appelwick, Brekke, Sheldon, Wang, Dellwo, Peery, Orr, Spanel, O'Brien, Hargrove and Wineberry

AN ACT Relating to employment; amending RCW 49.12.121, 49.12.170, 49.46.100, 49.48.040, and 49.48.060; adding new sections to chapter 49.12 RCW;

creating new sections; repealing RCW 49.12.123; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1473 by Representatives Prentice, Heavey, Belcher, Wineberry, Morris, Cole, Jones, Jacobsen, Ogden, Leonard, R. Johnson, R. King, Ludwig, Rust, Basich, Orr, G. Fisher, Riley, Pruitt, Sprenkle, Peery, Wang, Locke, Phillips, Dellwo, Cooper, Fraser, Nelson, Spanel, Brekke and Anderson

AN ACT Relating to periodic adjustments of the state minimum wage; and amending RCW 49.46.020.

Referred to Committee on Commerce & Labor.

HB 1474 by Representatives Ebersole, Wang, Cole, Franklin, Jones, Leonard, Spanel, Heavey, Cantwell, Prentice, Belcher, Fraser, Jacobsen, Pruitt, Dellwo, Nelson, Rust, Brekke, Sprenkle, O'Brien, Inslee, Wineberry and Anderson

AN ACT Relating to leave from employment for family care; amending RCW 49.78.020, 49.78.030, 49.78.040, 49.78.050, 49.78.070, and 49.78.130; adding a new section to chapter 49.12 RCW; adding a new section to chapter 49.78 RCW; repealing RCW 49.78.060 and 49.78.210; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 1475 by Representatives G. Fisher, Ebersole, Heavey, R. King, Cole, Dorn, Hine, Leonard, Valle, Rasmussen, Phillips, Jones, Hargrove, Brekke, Pruitt, Sprenkle, Wang, Dellwo, Orr, Nelson, Spanel, Prentice, O'Brien and Wineberry

AN ACT Relating to conditions of employment; amending RCW 49.46.130; and adding new sections to chapter 49.46 RCW.

Referred to Committee on Commerce & Labor.

HB 1476 by Representatives Wineberry, Fuhrman, Heavey, Locke, Leonard, Dorn, Valle, Brekke, Scott, Anderson, Ferguson, Wang, Phillips, Rasmussen, Dellwo, Peery, Jones, Orr, Spanel, Prentice, Sprenkle, O'Brien and Hargrove

AN ACT Relating to employer-assisted child and family care; amending RCW 74.13.0901, 74.13.0902, 43.31.085, 43.31.512, 74.13.0903, and 82.02.020; adding a new section to chapter 74.13 RCW; adding a new section to chapter 82.02 RCW; creating new sections; and making appropriations.

Referred to Committees on Trade & Economic Development/  
Appropriations.

HB 1477 by Representatives Heavey, Prentice, Jacobsen, Franklin, R. King, Orr, Jones, Cole, Phillips, Leonard, Wineberry and Anderson

AN ACT Relating to notice of reductions in business operations; adding a new chapter to Title 49 RCW; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1478 by Representatives McLean, Hargrove, Bowman, Brekke, Padden, Tate, Rasmussen, Ballard, Wynne, Paris, Fuhrman, Brough, Betzoff, Winsley, Forner, Brumsickle, D. Sommers and Mitchell

AN ACT Relating to children in need of treatment; adding new sections to chapter 13.34 RCW; and creating new sections.

Referred to Committee on Human Services.

HB 1479 by Representatives Braddock and Peery

AN ACT Relating to dental licensure; adding new sections to chapter 18.32 RCW; and repealing RCW 18.32.215.

Referred to Committee on Health Care.

HB 1480 by Representatives R. Meyers, Mielke, Heavey, Broback, Zellinsky and Paris

AN ACT Relating to the maintenance and investment of assets by reciprocal exchanges; and adding a new section to chapter 48.10 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1481 by Representatives May, Hine, Ballard, R. Johnson, Betzoff, Spanel, Broback, Rasmussen, Wood, Brumsickle, Neher, Leonard, Ferguson, Day, Lisk, Cooper, Brough, Prentice, Forner, Basich, Paris, Holland, G. Fisher, Horn, Sprenkle, Dellwo, Moyer, Grant, Braddock, Bowman, Heavey, Kremen, Cantwell, Winsley, Zellinsky, Silver, Franklin, Pruitt, Inslee, Edmondson, Sheldon, McLean, Riley, Wynne, Rayburn, Wilson and Orr

AN ACT Relating to the natural death act; amending RCW 70.122.010, 70.122.020, 70.122.030, 70.122.060, 70.122.070, 70.122.080, 70.122.090, and 70.122.100; adding new sections to chapter 70.122 RCW; creating new sections; and repealing RCW 70.122.050.

Referred to Committee on Health Care.

HB 1482 by Representatives Prentice, Moyer, Braddock, Morris, Heavey, Winsley, Orr, Wineberry and Anderson; by request of Department of Health

AN ACT Relating to AIDS service networks; amending RCW 70.24.400; and adding new sections to chapter 70.24 RCW.

Referred to Committee on Health Care.

HB 1483 by Representatives Rayburn, McLean, Kremen, R. Johnson, Rasmussen, Jacobsen and Nealey; by request of Department of Agriculture

AN ACT Relating to plant protection and the regulation of food products; amending RCW 15.09.080, 16.57.080, 16.57.160, 16.57.240, 16.57.280, 16.57.360, 16.57.380, 43.06.010, 69.04.001, 69.04.110, 69.04.120, 69.04.398, 69.04.780, 69.07.010, 69.07.040, 69.07.050, and 69.07.060; adding new sections to chapter 17.24 RCW; adding a new section to chapter 69.04 RCW; adding new sections to chapter 69.07 RCW; creating a new section; repealing RCW 17.24.005, 17.24.030, 17.24.035, 17.24.060, 17.24.070, 17.24.080, 17.24.100, 17.24.105, 17.24.110, 17.24.120, 17.24.130, 17.24.140, 17.24.200, 17.24.210, 69.07.090, and 69.07.130; and prescribing penalties.

Referred to Committee on Agriculture & Rural Development.

HB 1484 by Representatives Zellinsky, Schmidt, Kremen, Haugen, R. Fisher, R. Meyers, Heavey and Rasmussen

AN ACT Relating to motor vehicle license plates; and amending RCW 46.16.230.

Referred to Committee on Transportation.

HJR 4212 by Representatives P. Johnson, Phillips, Beck, Tate, Holland, Padden, Ferguson, Sheldon, Bowman, Fuhrman, Dorn, Neher, Hochstatter, Riley, Chandler, Casada, Ballard, Vance, Fraser, Brough, Edmondson, Betzoff, Horn, Ludwig, Franklin, Moyer, Morton, Van Luven, Forner, Roland, Basich, Prentice, Leonard, Heavey, H. Sommers, Zellinsky, Bray, Ogden, Rasmussen, Mielke, Hargrove, R. Meyers, R. Johnson, Wilson, Inslee, D. Sommers, Orr, McLean, Paris, Miller, Mitchell, R. Fisher, Pruitt, Wood, Schmidt, Silver, Broback, Morris, Wynne, May, Rayburn, Jacobsen, Kremen, Scott, Winsley, Cooper and Brumsickle

Ratifying an amendment to the United States Constitution requiring that congressional pay raises take effect only after the following congressional election.

Referred to Committee on State Government.

HCR 4406 by Representatives Ebersole and Ballard

Resolving to amend the joint rules of the senate and house of representatives.

#### MOTION

On motion of Mr. Ebersole, the bills and resolutions listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

#### REPORTS OF STANDING COMMITTEES

January 29, 1991

HB 1120 Prime Sponsor, Representative Roland: Modifying disbursement of daily gross receipts in horse racing. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1120 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Silver; and Van Luven.

MINORITY recommendation: Without recommendation. Signed by Representatives Belcher and Rust.

Passed to Committee on Rules for second reading.

January 29, 1991

HB 1297 Prime Sponsor, Representative Wang: Providing temporary property tax relief for low-income homeowners. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; and Rust.

MINORITY recommendation: Without recommendation. Signed by Representatives Holland, Ranking Minority Member; Silver; and Van Luven.

Passed to Committee on Rules for second reading.

January 29, 1991

HB 1298 Prime Sponsor, Representative Wang: Providing property tax exemptions for low-income homeowners. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; Silver; and Van Luven.

Passed to Committee on Rules for second reading.

January 29, 1991

HB 1299 Prime Sponsor, Representative Phillips: Increasing the maximum income limits for senior citizens and retired persons' tax exemption. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; Silver; and Van Luven.

Passed to Committee on Rules for second reading.

January 29, 1991

HB 1301 Prime Sponsor, Representative Wang: Improving property tax administrative practices. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1301 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Phillips; Rust; Silver; and Van Luven.

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

Passed to Committee on Rules for second reading.

January 29, 1991

HB 1313 Prime Sponsor, Representative Fraser: Modifying qualifications for senior citizen property tax relief. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1313 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne,

Assistant Ranking Minority Member; Appelwick; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; Silver; and Van Luven.

Passed to Committee on Rules for second reading.

January 29, 1991

HB 1376 Prime Sponsor, Representative Wang: Classifying computer software for purposes of taxation. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; Silver; and Van Luven.

Excused: Representative Belcher.

Passed to Committee on Rules for second reading.

January 29, 1991

HJR 4208 Prime Sponsor, Representative Wang: Amending the Constitution to allow the legislature to grant low-income property owners relief from owner occupied residences. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; Silver; and Van Luven.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Ebersole, the bills and resolution listed on today's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

Representatives Basich, Belcher, Brekke, Morris, Pruitt and H. Sommers appeared at the bar of the House.

## MESSAGES FROM THE SENATE

January 28, 1991

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4403,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

January 29, 1991

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4402,

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

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

## INTRODUCTION AND FIRST READING

HCR 4406 by Representatives Ebersole and Ballard

Resolving to amend the joint rules of the senate and house of representatives.

## MOTION

On motion of Mr. Ebersole, the rules were suspended and House Concurrent Resolution No. 4406 was advanced to second reading and read the second time in full.

Mr. Padden moved adoption of the following amendments:

On page 9, line 4, after "other." strike ~~((Except as provided in Rule 8, no conference committee shall consider or report on any matter except that directly at issue between the two houses.))~~ and insert "Except as provided in Rule 8, no conference committee shall consider or report on any matter except that directly at issue between the two houses."

On page 9, at line 20, strike ~~"((Free Conference Request)) Failure to Agree"~~ and insert "Free Conference Request"

On page 10, on line 2, after "conference" strike ~~"((for the purpose of requesting the powers of free conference)). A report ((requesting the powers of free conference shall be made in the same manner as other reports of conference committees and shall set forth the proposed report of a free conference committee, including)) proposing new items shall include"~~ and insert "for the purpose of requesting the powers of free conference. A report requesting the powers of free conference shall be made in the same manner as other reports of conference committees and shall set forth the proposed report of a free conference committee, including."

Mr. Padden spoke in favor of adoption of the amendments, and Mr. Ebersole spoke against them.

Mr. D. Sommers demanded an electric roll call vote, and the demand was sustained.

Representatives Betrozoff and May spoke in favor of adoption of the amendments.

#### MOTION

On motion of Ms. Roland, Representative Appelwick was excused.

Mr. Padden again spoke in favor of the amendments, and Mr. Ebersole again opposed them. Mr. Ballard spoke in favor of the amendments.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Padden to House Concurrent Resolution No. 4406, and the amendments were not adopted by the following vote: Yeas - 40, Nays - 57, Absent - 0, Excused - 1.

Voting yea: Representatives Ballard, Beck, Betrozoff, Bowman, Broback, Brough, Brumsickle, Casada, Chandler, Edmondson, Ferguson, Former, Fuhrman, Hochstatter, Holland, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Paris, Prince, Schmidt, Silver, Sommers, D., Tate, Vance, Van Luven, Wilson, Winsley, Wood, Wynne - 40.

Voting nay: Representatives Anderson, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Valle, Wang, Wineberry, Zellinsky, and Mr. Speaker - 57.

Excused: Representative Appelwick - 01.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives D. Sommers, Miller and Ebersole spoke in favor of passage of the resolution.

House Concurrent Resolution No. 4406 was adopted.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease. The Speaker (Mr. O'Brien presiding) called the House to order.

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

## MOTION

On motion of Mr. Ebersole, the House adjourned until 12:00 Noon, Thursday, January 31, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**EIGHTEENTH DAY**-----  
**NOON SESSION**  
-----

House Chamber, Olympia, Thursday, January 31, 1991

The House was called to order at 12:00 Noon by the Speaker (Ms. Miller presiding).

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

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

**INTRODUCTIONS AND FIRST READING**

HB 1485 by Representatives Zellinsky, Schmidt, Riley, Betrozoff and R. Meyers

AN ACT Relating to motor vehicle license plates; and amending RCW 46.16.270.

Referred to Committee on Transportation.

HB 1486 by Representatives Rust, Belcher, Horn, Valle, Brekke, Pruitt and Jacobsen

AN ACT Relating to integrated pest management; amending RCW 17.21.020 and 17.21.134; and adding a new section to chapter 43.19 RCW.

Referred to Committee on Environmental Affairs.

HB 1487 by Representatives Dellwo, Zellinsky, R. Johnson, R. Meyers, Mielke, Broback, Winsley, Inslee, Anderson, Scott, Dorn, Silver, Jacobsen and Paris

AN ACT Relating to check cashers and sellers; amending RCW 19.60.066; adding a new chapter to Title 31 RCW; adding a new section to chapter 42.17 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 1488 by Representatives Dellwo, Zellinsky, R. Johnson, R. Meyers, Broback, Mielke, Winsley, Inslee, Anderson, Scott, Dorn and Silver

AN ACT Relating to definitions in the law regulating pawnbrokers and second-hand dealers; amending RCW 19.60.010; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 1489 by Representatives H. Myers, May, Grant, Miller, Ebersole, Ballard, Belcher, Casada, Leonard, Hine, Bray, Appelwick, Hochstatter, R. Meyers, Morris, Cooper, Rayburn, Schmidt, Broback, Neher, Wynne, Betrozoff and Winsley

AN ACT Relating to the right of privacy; and amending RCW 9.73.070.

Referred to Committee on Energy & Utilities.

HB 1490 by Representatives R. Johnson, Haugen, Roland, Kremen, Rayburn, Spanel, Rust, Braddock, Scott and Paris

AN ACT Relating to flood control management; amending RCW 86.26.007 and 86.26.050; reenacting and amending RCW 86.16.110; reenacting RCW 86.15.178; adding new sections to chapter 86.12 RCW; adding a new section to chapter 76.09 RCW; adding a new section to chapter 86.15 RCW; repealing RCW 86.15.040, 86.16.027, 86.16.030, 86.16.040, 86.16.060, 86.16.065, 86.16.067, 86.16.070, 86.16.080, 86.16.090, and 86.16.170; making an appropriation; and declaring an emergency.

Referred to Committee on Local Government.

HB 1491 by Representatives R. Johnson, Haugen, Roland, Edmondson, Kremen, Nealey, Rayburn, Lisk, Spanel, Neher, Rasmussen, P. Johnson, Rust, Braddock, Wynne, Scott and Paris

AN ACT Relating to flood control improvements; and creating a new section.

Referred to Committee on Local Government.

HB 1492 by Representatives R. Johnson and Spanel

AN ACT Relating to granting a tax exemption for qualifying medical clinics; amending RCW 84.36.800 and 84.36.810; reenacting and amending RCW 84.36.805; and adding a new section to chapter 84.36 RCW.

Referred to Committee on Revenue.

HB 1493 by Representatives Day, Orr, O'Brien and Jones

AN ACT Relating to retirement system benefits; adding a new section to chapter 41.32 RCW; and adding a new section to chapter 41.40 RCW.

Referred to Committees on Health Care/Appropriations.

HB 1494 by Representatives Grant, Miller and Locke; by request of Utilities & Transportation Commission

AN ACT Relating to emergency adjudications of the utilities and transportation commission; and amending RCW 80.01.060.

Referred to Committee on Energy & Utilities.

HB 1495 by Representatives Heavey and Hargrove; by request of Department of Licensing

AN ACT Relating to the protection of consumers in the sale of lands; amending RCW 58.19.010, 58.19.020, 58.19.030, 58.19.070, 58.19.120, 58.19.130, 58.19.140, 58.19.180, 58.19.190, 58.19.270, 58.19.300, and 58.19.940; adding new sections to chapter 58.19 RCW; and repealing RCW 58.19.040, 58.19.050, 58.19.060, 58.19.080, 58.19.090, 58.19.100, 58.19.110, 58.19.150, 58.19.160, 58.19.170, 58.19.200, 58.19.210, 58.19.220, 58.19.230, 58.19.240, 58.19.250, 58.19.260, 58.19.290, 58.19.900, 58.19.910, and 58.19.930.

Referred to Committee on Commerce & Labor.

HB 1496 by Representatives O'Brien, Holland, Morris, Brunsickle, Leonard and Vance

AN ACT Relating to the license fees of real estate brokers, real estate salespersons, and professional engineers; and amending RCW 18.85.220 and 18.43.150.

Referred to Committee on Revenue.

HB 1497 by Representatives Riley, Paris, Braddock, Anderson, Basich, Pruitt, R. King and Wang

AN ACT Relating to health and safety; and adding new sections to chapter 51.32 RCW.

Referred to Committee on Commerce & Labor.

HB 1498 by Representatives Riley, Winsley, Leonard, Brekke, Basich, Anderson, Forner, Pruitt, R. King, Holland, Jacobsen, Phillips, Scott, Roland, Nelson and Paris

AN ACT Relating to children in community out-of-home care settings; and adding a new section to chapter 43.41 RCW.

Referred to Committee on Human Services.

HB 1499 by Representatives Riley, Forner, Roland, Orr, Prentice, Hochstatter, Jones, Chandler, Ludwig, Heavey, Scott, Paris, Winsley and Anderson

AN ACT Relating to death benefits for law enforcement officers and fire fighters; and amending RCW 41.26.510.

Referred to Committee on Appropriations.

HB 1500 by Representatives Riley, Hargrove, Basich, Wood, Roland, Appelwick, Paris and Scott

AN ACT Relating to jail labor; and amending RCW 10.82.030.

Referred to Committee on Human Services.

HB 1501 by Representatives McLean, Anderson, Miller, Bowman, Chandler, Silver, Holland and Paris

AN ACT Relating to voting by mail; amending RCW 29.36.120, 29.36.122, 29.36.126, 29.36.130, 29.36.130, 29.36.139, 29.36.150, and 29.10.180; adding a new section to chapter 29.36 RCW; and providing an effective date.

Referred to Committee on State Government.

HB 1502 by Representatives O'Brien, Cantwell, Nelson, Wineberry, Anderson, Locke, Jacobsen, Heavey, Cole, Prentice and Haugen

AN ACT Relating to port districts located within forty miles of each other; and adding new sections to chapter 53.04 RCW.

Referred to Committee on Trade & Economic Development.

HB 1503 by Representative Appelwick

AN ACT Relating to safety belts; and amending RCW 46.61.688.

Referred to Committee on Transportation.

HB 1504 by Representatives Heavey, R. King, Prentice, Ferguson, Leonard, Jones, Van Luven and Paris

AN ACT Relating to school employees' compensation; reenacting and amending RCW 28A.400.200; and repealing RCW 41.59.935.

Referred to Committee on Education.

HB 1505 by Representatives Valle, Cole, Brumsickle, Brough, Jacobsen, Paris and Winsley

AN ACT Relating to a student teacher assistance program; and adding new sections to chapter 28A.630 RCW.

Referred to Committees on Education/Appropriations.

HB 1506 by Representatives Appelwick, Nelson, Valle and Anderson

AN ACT Relating to providing the electorate a power of referendum on the building of a new runway or extending a runway at a heavily used commercial airport; and adding a new section to chapter 53.08 RCW.

Referred to Committee on Local Government.

HB 1507 by Representatives R. Fisher, Winsley, Anderson, Schmidt, R. King, R. Meyers, R. Johnson, Zellinsky, Ludwig, Ferguson, Sprengle, Franklin, Ebersole, Jones, O'Brien, Holland, Wang, Phillips, Scott, Roland, Nelson and Paris

AN ACT Relating to specialized transportation for elderly and handicapped persons; adding a new chapter to Title 47 RCW; and making an appropriation.

Referred to Committee on Transportation.

HB 1508 by Representatives Appelwick and Leonard

AN ACT Relating to licensing of day care centers; and amending RCW 74.15.100.

Referred to Committee on Human Services.

HB 1509 by Representatives Anderson, McLean, Miller, Bowman, Haugen, Pruitt and Paris; by request of Secretary of State

AN ACT Relating to ongoing absentee voter status; amending RCW 29.36.013; and repealing RCW 29.36.016.

Referred to Committee on State Government.

HB 1510 by Representatives R. Meyers and Padden

AN ACT Relating to guardianship; amending RCW 11.88.010, 11.88.045, 11.88.090, 11.88.095, 11.88.120, 11.88.125, 11.88.140, 11.92.040, 11.92.043, and 11.92.180; and adding a new section to chapter 11.88 RCW.

Referred to Committee on Judiciary.

HB 1511 by Representatives Anderson, Silver, Pruitt, Winsley, Leonard, Riley, Beck, H. Myers, R. King, Wynne, Van Luven, Ludwig, Orr, Brekke, Roland and Brough

AN ACT Relating to the disclosure of information from public records by state and local agencies; amending RCW 29.36.013, 42.17.310, and 42.17.311; adding a new section to chapter 29.04 RCW; adding a new section to chapter 42.17 RCW;

adding a new chapter to Title 40 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on State Government.

HB 1512 by Representatives Nealey, Haugen, Hochstatter, Rayburn, May, Grant, Paris, Kremen, Prince, Van Luven, D. Sommers, Beck, Zellinsky, Bowman, Sprengle, Chandler, McLean and Betrozoff

AN ACT Relating to motorcycle, motor-driven cycle, or moped helmets; amending RCW 46.37.530; and adding a new section to chapter 46.16 RCW.

Referred to Committee on Transportation.

HB 1513 by Representatives Rayburn, Nealey, Grant and Rasmussen

AN ACT Relating to open spaces; amending RCW 84.34.020, 84.34.035, 84.34.037, 84.34.050, 84.34.060, 84.34.065, 84.34.070, 84.34.108, 84.34.145, 84.34.150, 84.34.155, 84.34.160, 84.34.320, and 84.34.360; adding new sections to chapter 84.34 RCW; and providing an effective date.

Referred to Committee on Revenue.

HB 1514 by Representatives Silver, Day, Orr, Moyer, D. Sommers and Paris

AN ACT Relating to snowmobiles; and amending RCW 46.10.090.

Referred to Committee on Transportation.

HB 1515 by Representatives Heavey, Ludwig, Paris, Rayburn, Betrozoff, Hargrove, Van Luven and Jacobsen

AN ACT Relating to the banning of liquor on college and university campuses and related facilities; adding a new section 66.44 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1516 by Representatives Rust, Cole, McLean, Sheldon, Anderson and Wang

AN ACT Relating to elections; and adding a new section to chapter 29.18 RCW.

Referred to Committee on State Government.

HB 1517 by Representatives Phillips, Horn, Rust, Basich, Jacobsen, D. Sommers, Brekke, Van Luven, Valle, Sprengle, G. Fisher, R. King and Wang

AN ACT Relating to Pacific Ocean Resources Compact; adding a new chapter to Title 90 RCW; and making an appropriation.

Referred to Committees on Natural Resources & Parks/ Appropriations.

HB 1518 by Representatives Morton, Locke, Winsley, Brumsickle, Ballard, Padden, Beck, Silver, Hochstatter, Prince, Fuhrman, Lisk, Miller, P. Johnson, Mielke, D. Sommers, Chandler, Casada, Wynne, Forner, Betrozoff, Paris and Bowman

AN ACT Relating to limitations on issuance of evidences of indebtedness; amending RCW 39.94.010 and 39.94.030; reenacting and amending RCW 39.42.060; and declaring an emergency.

Referred to Committee on Capital Facilities & Financing.

HB 1519 by Representatives Sprengle, D. Sommers, Rust, Horn, G. Fisher, Phillips and Pruitt

AN ACT Relating to transporting recovered materials; and amending RCW 81.80.440.

Referred to Committee on Environmental Affairs.

HB 1520 by Representatives Leonard, Winsley and Riley; by request of Dept. of Social and Health Services

AN ACT Relating to residential habilitation centers; and amending RCW 71A.20.020.

Referred to Committee on Human Services.

HB 1521 by Representatives Peery, Brough, Rasmussen, Dorn, G. Fisher, Brumsickle, Cole, Betrozoff, Wynne, Holland, Forner, Jacobsen, Roland, Paris and Winsley

AN ACT Relating to student learning; amending 28A.320.200; adding new sections to chapter 28A.150 RCW; and creating a new section.

Referred to Committee on Education.

HB 1522 by Representatives Vance, Appelwick, Forner, Mitchell, Holland, Roland, Brough, Silver, Padden, Wynne, Betrozoff and Winsley

AN ACT Relating to certain transportation projects; adding new sections to chapter 47.05 RCW; adding a new section to chapter 43.21C RCW; adding a new section to chapter 90.58 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 1523 by Representatives Day, Wineberry, Edmondson, Bray, Lisk, Belcher, Inslee, Morris, Jones, Mitchell, Franklin, Mielke, Nelson, Casada, Brekke, Ferguson, Leonard, Silver, Ludwig, Rayburn, Peery, Scott, Pruitt, Chandler, McLean, Holland, Wang, Jacobsen, Winsley and Anderson

AN ACT Relating to regional service centers for the deaf; reenacting and amending RCW 43.20A.360; adding new sections to chapter 43.20A RCW; and making an appropriation.

Referred to Committees on Human Services/Appropriations.

HB 1524 by Representatives Hine, G. Fisher and Heavey

AN ACT Relating to port districts; adding a new section to chapter 14.07 RCW; adding a new section to chapter 14.08 RCW; adding a new section to chapter 14.12 RCW; and adding a new section to chapter 53.08 RCW.

Referred to Committee on Local Government.

HB 1525 by Representatives Schmidt, Peery, Wood, Brumsickle, Zellinsky, Wilson, Anderson and Neher

AN ACT Relating to educational employees' travel expenses; and adding a new section to chapter 28A.400 RCW.

Referred to Committee on Education.

HB 1526 by Representatives Rayburn, Kremen, Nealey, Chandler, Rasmussen, Grant, R. Johnson, Ballard, Haugen and Jacobsen

AN ACT Relating to including self-propelled agricultural equipment in the motor vehicle lemon law; and amending RCW 19.118.021.

Referred to Committee on Commerce & Labor.

HB 1527 by Representatives Braddock, Moyer, Sprengle, Edmondson, R. Meyers, Franklin and Zellinsky

AN ACT Relating to mandatory continuing education credit; and amending RCW 18.71.080.

Referred to Committee on Health Care.

HB 1528 by Representatives Van Luven, Cole, R. King, Pruitt, Wang and Anderson

AN ACT Relating to corporal punishment in public schools; and adding a new section to chapter 28A.150 RCW.

Referred to Committee on Education.

HB 1529 by Representatives Cantwell, R. Fisher, Betrozoff and Day

AN ACT Relating to motor vehicles transporting lightweight packages; and adding a new section to chapter 81.80 RCW.

Referred to Committee on Transportation.

HB 1530 by Representatives Day, Prince, Jones, Mitchell, Franklin, Lisk, Mielke, Ferguson, Nealey, Cantwell, Bray, Ludwig, Scott, Wynne, Betrozoff, Paris, Winsley and Brough

AN ACT Relating to the veterans' programs or charities; and adding a new section to chapter 43.60A RCW.

Referred to Committee on State Government.

HB 1531 by Representatives Dorn, Brough, Peery, Cole, Jones, Wood, Winsley, Orr, Nelson, Brumsickle, Anderson, Prentice, Leonard, Rasmussen, Morris, G. Fisher, Phillips, Holland, Wang and Roland

AN ACT Relating to low-income students; amending RCW 28A.320.500; adding new sections to chapter 28A.600 RCW; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 1532 by Representatives Dorn, Brumsickle, Ferguson, Pruitt, Neher, Basich, Peery, Grant, R. Meyers, Orr, H. Myers, Leonard, Roland, Morris, G. Fisher, Phillips, Scott, Paris and Winsley

AN ACT Relating to temporary waivers of requirements under chapter 28A.150 RCW; amending RCW 28A.150.290; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Education.

HB 1533 by Representatives Wang, Holland, Fraser, Miller, Day, Brough, Phillips, Leonard, Rust, Belcher, H. Sommers, Moyer, Forner, Winsley and Anderson-

AN ACT Relating to sales and use taxation of prescription drugs for prevention of conception; amending RCW 82.08.0281 and 82.12.0275; providing an effective date; and declaring an emergency.

Referred to Committee on Revenue.

HB 1534 by Representatives H. Myers, Beck, Riley, R. King, Tate, Anderson, Vance, Cooper, Ludwig, Hargrove, Padden, Bray, Rasmussen,

Sheldon, Leonard, Forner, Brekke, Peery, Belcher, G. Fisher, Morris, Grant, Jones, O'Brien, Orr, Wang, Heavey, Roland, Paris and Winsley

AN ACT Relating to training for investigating and prosecuting sexual assault cases; adding new sections to chapter 36.27 RCW; creating new sections; and making appropriations.

Referred to Committees on Judiciary/Appropriations.

HB 1535 by Representatives Cooper, Horn, Grant, May, R. Meyers, Hochstatter and Orr

AN ACT Relating to radon testing required by the state building code council; adding a new section to chapter 19.27 RCW; and creating a new section.

Referred to Committee on Environmental Affairs.

HB 1536 by Representatives Anderson, Moyer, Sprengle, Paris, Wynne, Jacobsen and Winsley

AN ACT Relating to hospice benefits; and reenacting and amending RCW 74.09.520.

Referred to Committee on Appropriations.

HB 1537 by Representatives Brekke, Hargrove, Leonard, Jones, Valle, Nelson, Padden, Fraser, Tate, Day, Rayburn, Kremen, Riley, H. Myers, Scott, Cole, R. Johnson, Cooper, Winsley, Jacobsen, Phillips and Roland

AN ACT Relating to establishing an office of children's services ombuds; amending RCW 26.44.030; adding new sections to chapter 43.63A RCW; creating a new section; repealing RCW 26.44.070; and making an appropriation.

Referred to Committees on Human Services/Appropriations.

HB 1538 by Representatives Heavey, Silver, Sheldon, Prince, Rasmussen, D. Sommers, Lisk, Ferguson, Forner, Moyer, Cooper, Pruitt, Winsley, Leonard, Cantwell, Dorn, Haugen, Ballard, Wineberry, Jacobsen, Jones, Wynne, Holland, Van Luven, Ludwig, Orr, Betzoff, Brekke, Scott, Paris, Brough and Anderson

AN ACT Relating to business tax credits for assisting in the provision of child care; adding new sections to chapter 82.04 RCW; providing an effective date; and declaring an emergency.

Referred to Committees on Trade & Economic Development/ Revenue.

HB 1539 by Representatives Holland, Basich, Heavey, Hargrove, Sheldon, Brumsickle, Forner, Moyer and Winsley

AN ACT Relating to the excise tax on real estate sales; and amending RCW 82.45.010.

Referred to Committee on Revenue.

HB 1540 by Representatives Day, Silver, Orr, Mielke and Winsley

AN ACT Relating to the management of condominium association funds by licensed real estate brokers; and amending RCW 64.34.372.

Referred to Committee on Judiciary.

HB 1541 by Representatives Cooper, Moyer, Braddock, Ferguson, Leonard, May, Dorn, Riley, Prentice, H. Myers, Hargrove, Peery, Morris, Heavey, Sprenkle, Brekke, Cantwell, R. King, Jones, Van Luven, Ludwig, Jacobsen, Scott, Winsley and Anderson

AN ACT Relating to stabilization of contracted developmentally disabled community residential and day program services; amending RCW 71A.12.110; adding new sections to chapter 71A.12 RCW; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1542 by Representatives Cooper, Moyer, Braddock, Ferguson, Leonard, May, Dorn, Riley, Prentice, H. Myers, Hargrove, Ogden, Peery, Morris, Heavey, Sprenkle, Brekke, Cantwell, Haugen, Jones, Van Luven, Ludwig, Scott and Winsley

AN ACT Relating to the expansion of private community programs for adults with developmental disabilities; adding a new section to chapter 71A.12 RCW; and declaring an emergency.

Referred to Committees on Health Care/Appropriations.

HB 1543 by Representatives Fraser, Belcher, Winsley, Leonard, Beck, Hine, Ebersole, Brekke, Jones, Pruitt, Holland, Jacobsen and Heavey

AN ACT Relating to establishment of a family support worker program in schools; adding a new chapter to Title 74 RCW; creating a new section; and making an appropriation.

Referred to Committees on Human Services/Appropriations.

HB 1544 by Representatives Dellwo, R. Meyers, Paris, R. Johnson, Winsley and Wang; by request of Insurance Commissioner

AN ACT Relating to third party administrators for insurance; adding a new chapter to Title 48 RCW; and prescribing penalties.

Referred to Committee on Financial Institutions & Insurance.

HB 1545 by Representatives Vance, Brough, Betzoff, Tate, Brumsickle, Mielke, P. Johnson, Peery, G. Fisher, Broback, Neher, Holland, Silver and Winsley

AN ACT Relating to educational outcomes; creating new sections; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 1546 by Representatives Nelson, Haugen, Brough, Hine, Locke, Heavey, Valle, G. Fisher, O'Brien, Zellinsky, R. Fisher, Rust, Brekke, Belcher, Prentice, H. Sommers, Cole, Jacobsen, Phillips and Braddock

AN ACT Relating to port districts; amending RCW 53.36.020, 53.36.100, and 53.06.030; adding new section to chapter 53.12 RCW; and adding a new section to chapter 43.09 RCW.

Referred to Committees on Local Government/Revenue.

HB 1547 by Representatives Holland, Hine and Heavey

AN ACT Relating to electric and magnetic fields; and adding a new chapter to Title 70 RCW.

Referred to Committee on Energy & Utilities.

HB 1548 by Representatives Forner, Holland, Ferguson, May, Van Luven, Miller, Betzoff, Horn, Braddock, Kremen, Edmondson, Chandler, Silver, Orr, Paris and Brough

AN ACT Relating to community college allocations; and adding new sections to chapter 28B.50 RCW.

Referred to Committee on Higher Education.

HB 1549 by Representatives Inslee, Edmondson, Rayburn, Spanel, G. Fisher, Hargrove, Basich, Lisk, Braddock, Hochstatter, Chandler, Kremen, Pruitt, Ludwig, Orr, Roland, Paris and Anderson

AN ACT Relating to additional enrollments at institutions of higher education; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committees on Higher Education/Appropriations.

HJR 4213 by Representative Brekke

Restructuring the state legislature

Referred to Committee on State Government.

HJR 4214 by Representatives Van Luven, G. Fisher, Brumsickle, Peery, Roland, Vance, Orr and Forner

Funding for common school education.

Referred to Committees on Education/Appropriations.

HCR 4407 by Representatives Vance, Brough, Brumsickle, Holland, Betrozoff, Silver, Wynne, Forner, Moyer, Paris and May

Creating a joint select committee on teacher performance-based compensation plans.

Referred to Committees on Education/Appropriations.

#### MOTION

On motion of Mr. Ebersole, the bills and resolutions listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

#### REPORTS OF STANDING COMMITTEES

HB 1013 Prime Sponsor, Representative Zellinsky: Changing provisions relating to newly incorporated cities and towns. Reported by Committee on Local Government

January 29, 1991

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Excused: Representative Cooper, Vice Chair.

Passed to Committee on Rules for second reading.

January 29, 1991

HB 1061 Prime Sponsor, Representative Ludwig: Making funeral expenses and cost of administration fully deductible from the decedent's estate. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1061 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; Riley; Scott; Tate; Vance; and Wineberry.

Excused: Representatives Belcher; Locke; H. Myers; and D. Sommers.

Passed to Committee on Rules for second reading.

January 29, 1991

HB 1087 Prime Sponsor, Representative Appelwick: Concerning modification of parenting plans. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; Tate; Vance; and Wineberry.

Excused: Representatives Belcher; Locke; and D. Sommers..

Passed to Committee on Rules for second reading.

January 29, 1991

HB 1089 Prime Sponsor, Representative Appelwick: Changing confidentiality for postdecree mediation proceedings. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; Tate; Vance; and Wineberry.

Excused: Representatives Belcher; Locke; and D. Sommers.

Passed to Committee on Rules for second reading.

January 24, 1991

HB 1096 Prime Sponsor, Representative Winsley: Increasing the fine for failing to install smoke detectors. Reported by Committee on Housing

MAJORITY recommendation: Do pass with the following amendment:  
On page 4, line 9, after "landlord" insert "or the landlord's authorized agent"

Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Republican Member; Winsley, Assistant Ranking Republican Member; Ballard; Leonard; Ogden; and Wineberry.

Passed to Committee on Rules for second reading.

January 29, 1991

HB 1182 Prime Sponsor, Representative Wineberry: Restructuring penalties for driving while suspended. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; Tate; Vance; and Wineberry.

Excused: Representatives Belcher; Locke; and D. Sommers.

Passed to Committee on Rules for second reading.

January 29, 1991

HB 1186 Prime Sponsor, Representative Appelwick: Requiring that criminal penalties set by cities and counties be the same as those set in state law. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1186 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; Tate; Vance; and Wineberry.

Excused: Representatives Belcher; Locke; and D. Sommers.

Passed to Committee on Rules for second reading.

January 29, 1991

HB 1211 Prime Sponsor, Representative Belcher: Revising retirement benefits. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1211 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; Tate; Vance; and Wineberry.

Excused: Representatives Belcher; Locke; and D. Sommers.

Referred to Committee on Appropriations.

January 29, 1991

HB 1277 Prime Sponsor, Representative Grant: Continuing the geothermal account ten additional years. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Grant, Chair; H. Myers, Vice Chair; May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Bray; Casada; Cooper; R. Fisher; Jacobsen; Miller; and Rayburn.

Excused: Representative Jacobsen.

Referred to Committee on Capital Facilities & Financing.

January 29, 1991

HJR 4201 Prime Sponsor, Representative Ferguson: Amending the Constitution to provide an alternative method of framing a county charter. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Excused: Representative Cooper, Vice Chair.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Ebersole, the bills and resolution listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

#### MOTIONS

On motion of Mr. Ebersole, House Bill No. 1378 was referred from Committee on Judiciary to Committee on Appropriations.

On motion of Mr. Ebersole, House Bill No. 1428 was referred from Committee on Appropriations to Committee on Capital Facilities & Financing.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Friday, February 1, 1991.

ALAN THOMPSON, Chief Clerk

JOSEPH E. KING, Speaker

**NINETEENTH DAY**

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**MORNING SESSION**

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House Chamber, Olympia, Friday, February 1, 1991

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Basich, Brekke, R. King and Locke. On motion of Ms. Cole, Representative R. King was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Aimee Jones and Larry Nechanicky. Prayer was offered by Mary-Lynne Reiner, Temple Beth Hatfiloh of Olympia.

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

**SPEAKER'S PRIVILEGE**

The Speaker (Mr. O'Brien presiding) introduced visiting dignitaries from the American Legislative Exchange Council, including The Honorable Fred C. Noye, Republican Caucus Chairman, State of Pennsylvania and Incoming Chairman for ALEC; Mr. Joe Benish, Pennsylvania Electric Company and Private Sector State Chairman for ALEC; Mr. Joe McCormick, Manager of Governmental Affairs, Boeing-Pennsylvania; and Mr. Tom Paine, Washington State Private Sector Chairman. Mr. Noye briefly addressed the members of the House of Representative.

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

**INTRODUCTIONS AND FIRST READING**

HB 1550 by Representatives Phillips, Holland, Leonard, Winsley, Riley, Peery, Sprenkle, Cole, Nelson, Locke, G. Fisher, Pruitt, Rust, Rasmussen, Dorn, H. Myers, Jones, Valle, Rayburn, Dellwo, Jacobsen, Fraser, Sheldon, Roland and Anderson

AN ACT Relating to mental health; adding a new chapter to Title 71 RCW; and making an appropriation.

Referred to Committees on Human Services/Appropriations.

HB 1551 by Representatives Riley, Basich, Wineberry, Morris, Sheldon, Hargrove, Cooper, Tate, Jones, P. Johnson, Brekke, Paris, Orr, Brumsickle, Ludwig, Wynne, Ogden, Jacobsen and H. Myers

AN ACT Relating to Columbia river improvements; and making an appropriation.

Referred to Committee on Capital Facilities & Financing.

HB 1552 by Representatives Padden, Appelwick, D. Sommers and R. Meyers

AN ACT Relating to traffic infractions; amending RCW 46.63.060, 46.63.070, and 46.63.100; and adding a new section to chapter 46.63 RCW.

Referred to Committee on Judiciary.

HB 1553 by Representatives Haugen, Ferguson, H. Sommers, Sprengle, Morris, Zellinsky, Holland, Wood and Kremen

AN ACT Relating to public works projects; and amending RCW 43.155.010 and 43.155.020.

Referred to Committee on Capital Facilities & Financing.

HB 1554 by Representatives Anderson, McLean, Miller, Tate, R. Fisher, Paris and Jacobsen

AN ACT Relating to voter registration verification procedures; and amending RCW 29.10.180.

Referred to Committee on State Government.

HB 1555 by Representatives Prentice, Edmondson, Day, D. Sommers, Cantwell, Paris, Dellwo, Moyer, Sprengle, Franklin and Braddock

AN ACT Relating to the required pharmacy assistant ratio; and amending RCW 18.64A.040.

Referred to Committee on Health Care.

HB 1556 by Representatives Appelwick, Padden, Prentice, Dellwo, Ludwig, Edmondson, Mielke, D. Sommers, Paris, Moyer, Sprengle, Braddock, Holland, Winsley, Wynne, Vance, Brough, Tate, Silver, Mitchell, Hochstatter, Nealey, Betrozoff, Morton, Wood and Horn

AN ACT Relating to licensed pharmacists, limiting their liability by declaring them to be nonproduct sellers who are not subject to Title 62A RCW; amending RCW 7.72.010; adding a new section to chapter 18.64 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1557 by Representatives Appelwick, Jacobsen, Locke, H. Sommers, Phillips, Heavey, Wineberry and Anderson

AN ACT Relating to contracts for school employees; amending RCW 28A.405.210, 28A.405.230, and 28A.400.010; and adding a new section to chapter 28A.405 RCW.

Referred to Committee on Education.

HB 1558 by Representatives R. Meyers, R. Fisher, Schmidt, Orr, Hargrove, G. Fisher, Cooper, Zellinsky, Holland, Winsley, Betrozoff and Ludwig; by request of Legislative Transportation Committee

AN ACT Relating to the compensation survey for the state patrol; and amending RCW 41.06.167.

Referred to Committee on Transportation.

HB 1559 by Representatives Ebersole, Spanel, Basich, Prince, Jacobsen, H. Sommers, R. King, Riley, Ferguson, Holland, Winsley, Zellinsky, Van Luven, Ogden, Valle, Cooper, Rayburn, Wang, Dellwo, Silver, Moyer, Bowman, Hine, O'Brien, Fraser, Sheldon, Roland, Orr, Wood, Ludwig and Nelson

AN ACT Relating to faculty salaries in higher education; adding new sections to chapter 28B.10 RCW; and creating a new section.

Referred to Committees on Higher Education/Appropriations.

HB 1560 by Representative Appelwick

AN ACT Relating to court orders; and amending RCW 26.50.050, 26.50.070, and 10.14.080.

Referred to Committee on Judiciary.

HB 1561 by Representatives Anderson, McLean, Belcher and Bowman; by request of Department of General Administration

AN ACT Relating to the tort claims revolving fund; amending RCW 4.92.160; adding a new section to chapter 4.92 RCW; and creating a new section.

Referred to Committee on State Government.

HB 1562 by Representatives Anderson, McLean, Belcher and Bowman; by request of Department of General Administration

AN ACT Relating to cost recovery by the department of general administration; and amending RCW 43.01.090.

Referred to Committee on State Government.

HB 1563 by Representatives Schmidt, H. Sommers, Anderson, Belcher, Neher, Brumsickle, Betrozoff and Rasmussen; by request of Department of General Administration

AN ACT Relating to a facility land bank; adding a new chapter to Title 79 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Capital Facilities & Financing.

HB 1564 by Representatives Nelson, McLean, Anderson, Belcher, Brumsickle, R. Fisher, Bowman, Betrozoff, Fraser and Rasmussen; by request of Department of General Administration

AN ACT Relating to transportation to and from and parking at state facilities; adding new sections to chapter 43.19 RCW; creating a new section; repealing RCW 46.08.172; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 1565 by Representatives R. King, Ballard, Ebersole, Franklin, Cole, Heavey, Prentice, O'Brien, Lisk, Vance, Fuhrman, Bowman and Jones

AN ACT Relating to self-insured employers; and amending RCW 51.32.055.

Referred to Committee on Commerce & Labor.

HB 1566 by Representatives R. King, Moyer, H. Myers, Belcher, Leonard, Winsley, Fraser, Beck; Anderson, R. Fisher, Wood, Heavey, Wang and Bowman

AN ACT Relating to child care workers' wages; amending RCW 43.31.085; adding new sections to chapter 74.13 RCW; creating a new section; and making an appropriation.

Referred to Committee on Trade & Economic Development.

HB 1567 by Representatives Prentice, Heavey, Cole, Belcher, R. King, Franklin, Jones, Wineberry, Wang, Dellwo, Jacobsen and Leonard

AN ACT Relating to protections for agricultural employees; and adding new sections to chapter 49.17 RCW.

Referred to Committee on Commerce & Labor.

**HB 1568** by Representatives Haugen, Wilson, R. Johnson and R. Fisher

AN ACT Relating to public transportation benefit area service areas; amending RCW 36.57A.040, 36.57A.055, and 36.57A.140; and creating a new section.

Referred to Committee on Transportation.

**HB 1569** by Representatives Braddock, Prentice, Franklin, Locke, Morris, Sprenkle, Anderson, Nelson, Jacobsen, Belcher, Rasmussen, Wineberry, Brekke, Cole, Peery, R. Fisher, Spanel, Cantwell, Valle, Riley, Phillips and Paris

AN ACT Relating to establishment and financing of a community-based long-term care and support services system for functionally disabled persons; adding a new chapter to Title 70 RCW; prescribing penalties; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committees on Health Care/Revenue.

**HB 1570** by Representatives Jones, Heavey, Riley and R. King

AN ACT Relating to private business entities receiving public assistance; and adding a new chapter to Title 19 RCW.

Referred to Committee on Commerce & Labor.

**HB 1571** by Representatives Jones, McLean, Anderson, Hargrove, Ferguson, Phillips and Jacobsen

AN ACT Relating to recounting votes; amending RCW 29.64.015; adding a new section to chapter 29.64 RCW; creating a new section; and repealing RCW 29.64.050.

Referred to Committee on State Government.

**HB 1572** by Representatives Spanel, Wilson, R. King, Morris, Haugen, Orr, Cole, Fuhrman, Padden, Kremen and Paris

AN ACT Relating to salmon labeling for human consumption; adding new sections to chapter 69.04 RCW; and prescribing penalties.

Referred to Committee on Fisheries & Wildlife.

**HB 1573** by Representatives Winsley, Dellwo, Insee, R. Meyers, Dorn, R. Johnson and Anderson

AN ACT Relating to the measure of damages to a motor vehicle; and adding a new section to chapter 4.56 RCW.

Referred to Committee on Judiciary.

HB 1574 by Representatives Dellwo, Dorn, R. Meyers, Anderson and Inslee

AN ACT Relating to minimum standards for insurance policies; and amending RCW 48.18.120.

Referred to Committee on Financial Institutions & Insurance.

HB 1575 by Representatives Dorn, Dellwo, Inslee, R. Meyers, Anderson and Zellinsky

AN ACT Relating to the provision of preferred risk coverage to qualified applicants; adding a new section to chapter 46.30 RCW; and prescribing penalties.

Referred to Committee on Financial Institutions & Insurance.

HB 1576 by Representatives R. Meyers, Dellwo, R. Johnson, Dorn, Ferguson and Zellinsky

AN ACT Relating to medical examinations required by a private passenger automobile insurance policy; and adding a new section to chapter 48.18 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1577 by Representatives R. Fisher, Wilson and Rasmussen; by request of Utilities & Transportation Commission

AN ACT Relating to state and federal regulation of railroads; repealing RCW 81.34.010, 81.34.020, 81.34.030, 81.34.040, 81.34.050, 81.34.060, 81.34.070, 81.34.080, 81.34.090, 81.34.100, and 81.34.110; and decodifying RCW 81.34.900.

Referred to Committee on Transportation.

HJM 4003 by Representatives Prentice, D. Sommers, Paris, Moyer, Sprengle, Ludwig, Franklin, Winsley and Fraser

Requesting a review of multitiered pricing for prescription drugs.

Referred to Committee on Health Care.

#### MOTION

On motion of Mr. Ebersole, the bills and memorial listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

## REPORTS OF STANDING COMMITTEES

January 30, 1991

HB 1082 Prime Sponsor, Representative Braddock: Allowing nondisclosure of trade information by the health care authority and state employees benefit board. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1082 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

Excused: Representative Morris.

Passed to Committee on Rules for second reading.

January 30, 1991

HB 1083 Prime Sponsor, Representative Braddock: Revising provisions for voluntary payroll deductions for public employees. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

Excused: Representative Morris.

Passed to Committee on Rules for second reading.

January 30, 1991

HB 1109 Prime Sponsor, Representative Jones: Creating a task force on children of substance abusers. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1109 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Berozoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Excused: Representatives G. Fisher, Vice Chair; Cole and Holland.

Passed to Committee on Rules for second reading.

January 30, 1991

HB 1125 Prime Sponsor, Representative Braddock: Changing the billing period to twelve months. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprengle.

Referred to Committee on Appropriations.

January 24, 1991

HB 1225 Prime Sponsor, Representative Winsley: Providing a procedure for the classification and valuation of property devoted primarily to low-income housing. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Republican Member; Winsley, Assistant Ranking Republican Member; Ballard; Leonard; Ogden; and Wineberry.

Referred to Committee on Revenue.

January 30, 1991

HB 1400 Prime Sponsor, Representative Morton: Modifying grant criteria for rural health care projects. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprengle.

Passed to Committee on Rules for second reading.

January 24, 1991

HJR 4205 Prime Sponsor, Representative Winsley: Amending the Constitution to allow property devoted to low-income housing to be taxed based on its current use value. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Republican Member; Winsley, Assistant Ranking Republican Member; Ballard; Leonard; Ogden; and Wineberry.

Referred to Committee on Revenue.

## MOTION

On motion of Mr. Ebersole, the bills and resolution listed on today's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease. The Speaker called the House to order.

Representatives Basich and R. King appeared at the bar of the House.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:  
HOUSE CONCURRENT RESOLUTION NO. 4403.

## MESSAGE FROM THE SENATE

February 1, 1991

Mr. Speaker:

The Senate has adopted HOUSE CONCURRENT RESOLUTION NO. 4406 with the following amendment:

On page 11, line 21, after "senate," insert "and by distribution to the desks of the members."

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

## MOTION

Mr. Ebersole moved that the House do concur in the Senate amendment to House Concurrent Resolution No. 4406.

Representatives Ebersole and Miller spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE CONCURRENT RESOLUTION  
AS SENATE AMENDED

The Speaker state the question before the House to be final passage of House Concurrent Resolution No. 4406 as amended by the Senate.

House Concurrent Resolution No. 4406 as amended by the Senate was adopted.

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

## RESOLUTION

HOUSE RESOLUTION NO. 91-4614, by Representatives Ballard, Ebersole, Wynne, R. Meyers, Rasmussen, Zellinsky, Schmidt, Wineberry, Appelwick, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Edmondson, Ferguson, G. Fisher, R. Fisher, Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, P. Johnson, R. Johnson, Jones, J. King, R. King, Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Mielke, Miller, Mitchell, Morris, Morton, Moyer, H. Myers, Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Silver, D. Sommers, H. Sommers, Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Winsley, Wood, Anderson

WHEREAS, The people of Washington State stand behind the men and women carrying out Operations Desert Shield and Desert Storm; and

WHEREAS, Nearly eight thousand five hundred regular, reserve, and National Guard service men and women from Washington State are directly supporting the war to free the people of Kuwait; and

WHEREAS, We pray for the successful accomplishment of their mission and their safe return; and

WHEREAS, These troops have put their personal priorities aside, their jobs on hold, and dedicated their personal safety to freeing others from oppression; and

WHEREAS, The families of these men and women have sacrificed the comfort of close family relationships, income, and security, trading them for the uncertainty and instability that war brings; and

WHEREAS, These families need, now more than ever, the assurance of knowing Washington state stands ready to provide assistance and aid to them, during this difficult period; and

WHEREAS, The following service men and women had shipped out from Washington State by January 22, 1991:

(1) Over two thousand three hundred regular Naval personnel serving as pilots, on ships, and in the Medical Corps in the Middle East;

(2) Another four hundred Naval reservists were called up to join them;

(3) More than seven hundred regular Air Force men and women in Supply and Transportation Squadrons, Combat Control, and the Security Police;

(4) Another six hundred Air Force reservists have joined them in these squadrons;

(5) Twenty-seven active duty units, or nearly two thousand five hundred men and women of the Army have been deployed to Operation Desert Storm;

(6) Another nineteen Army Reservist units, nearly one thousand one hundred persons, including the 50th General Hospital, consisting of over seven hundred men and women in which Senator Mike Kreidler is serving, were deployed; and

(7) Our own Washington Air and Army National Guard has on active duty approximately three hundred twenty-five men and women in the 141st Air

Refueling Wing, the 252nd Combat Communications Group, the 241st and the 1444th Transportation Detachments, and the 116th Support Center; and

WHEREAS, These numbers change daily as men and women are called up, moved out, and redeployed; and

WHEREAS, All six-month rotations have been canceled until further notice, and men and women are serving an indefinite term; and

WHEREAS, Reservists and National Guard personnel will be returning to their families, homes, and jobs when Operation Desert Storm is over; and

WHEREAS, The legislature recognizes the Reservist and National Guard personnel's concerns about reentering the job marketplace;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives commend and honor the men and women who are carrying the mission of freedom to a distant land, offer comfort and succor to their gallant families, and encourage those at home to welcome them back when their mission is accomplished; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Major General Gregory P. Barlow, Lt. Commander Keith Arterburn, Navy Lt. Commander Jim Britt, Col. Mike McCarthy, and the I Corps Public Affairs Office.

Mr. Ballard moved adoption of the resolution.

#### MOTION

Mr. Prince moved that the remarks by all members of the House of Representatives on adoption of House Resolution No. 91-4614 be spread upon the Journal. With consent of the House, it was so ordered.

#### REMARKS BY REPRESENTATIVE BALLARD

Mr. Ballard: Thank you, Mr. Speaker. Ladies and gentlemen of the House: This is a time when we all gather together in concern for the men and women who are representing us in Operations Desert Shield and Desert Storm. I can say clearly that all of our prayers and concerns are with them and their families.

All of us are touched in some way or know someone there. I forgot that a son of a good friend of ours is now in one of the tanks. Almost everyone you talk to has someone who is directly affected by this war. We are not only doing this today in support of the men and women who are serving and defending us, but also for the husbands and wives, for the moms and dads, for the brothers and sisters, for the families and neighbors. The message we are sending today is loud and clear: we are with you and we support you.

A number of people are going to speak today, but I wanted to share an experience I had this morning. I came in early and picked up a copy of one of our local newspapers. When I read the story of the Washington man who was killed, it suddenly was no longer hypothetical but a real situation. I read about his age and his life. Suddenly there was that moment of deep sorrow. We all

gather together today to send this message out once again: we love you; we care for you; we support you.

#### REMARKS BY REPRESENTATIVE EBERSOLE

Mr. Ebersole: Thank you, Mr. Speaker. At a time like this we are not Democrats or Republicans. We are not eastsiders or westsiders. We are not liberals or conservatives. We are Washingtonians. We are Americans who want to express our deep concern for our fellow Washingtonians who are serving in the Persian Gulf in this time of national need and emergency.

I wanted to say that there has been tremendous support to have a resolution of this kind. Representative Meyers, Representative Wynne and Representative Rasmussen come to mind as people who have been touched by this war personally or who have large numbers of service men and women in their districts. I wanted to acknowledge that.

It is easy for us to take democracy and freedom for granted. This war reminds us that citizenship in this great nation of ours comes with responsibilities as well as rights. Eighty-five hundred Washingtonians, their families and their friends are paying that price today. They are, without complaint, fulfilling their responsibilities as Americans. We are proud of our troops. We all want to be part of supporting them. Regardless of our political views we are all Americans and we all pray for their safe and swift return. We all pray for the safe and swift conclusion of this war. We send our heartfelt support to the families whose loved ones are serving overseas.

#### REMARKS BY REPRESENTATIVE HEAVEY

Mr. Heavey: Thank you, Mr. Speaker. Fellow members of the House: As most of you know, I am a Vietnam veteran and I have some concerns about the war. I've always had concerns about old men sending young men to fight their wars. I have concerns that this war may result in every Moslem in the world taking target at the United States. I have concerns that we are not in Chad. I have concerns that we are not in Afghanistan. I have concerns that we are not in the Baltic states. I also have concerns about the citizens who live around military bases--that they might start resenting soldiers, sailors and airmen. They might resent them and denigrate them for lack of intelligence. It is times like this that we see what they are all about--and that is their commitment to our country and to us. The thing to remember is that military people aren't politicians. The most important thing they are prepared to make is the ultimate sacrifice on our behalf. We need to honor them; we need to thank them; we need to appreciate their deep commitment to this country. When that commitment is gone, this country will no longer be free. I commend this resolution for your adoption.

## REMARKS BY REPRESENTATIVE WYNNE

Mr. Wynne: Mr. Speaker and ladies and gentlemen of the House: For the first time in world history a war is being televised live into homes and offices across the United States and around the world. As I could not say it any better, let me beg the indulgence of the House while I quote from an article in the Seattle Pl. "Of this war Coretta Scott King said, 'We do not seek to defeat people but to defeat injustice.'" Many of us have family, friends or neighbors who are currently serving in the Persian Gulf or who have been called to active duty to support military units which have been dispatched to the Persian Gulf. With this resolution we would like to show the unanimous support of this body for our men and women in the Persian Gulf and for those who have been called to active duty. Let this resolution, in showing our support, provide some comfort to those families who have loved ones in the Persian Gulf. To the wife and family of Marine Lance Corporal Michael E. Linderman, age 19, from Silverdale, we send our deepest sympathies. Lance Corporal Linderman was among the first Americans killed in ground action in the Persian Gulf war. I ask for your support of this resolution. Let us pray that this conflict is short-lived.

## REMARKS BY REPRESENTATIVE ZELLINSKY

Mr. Zellinsky: Thank you, Mr. Speaker. It comes home when you see someone from your own high school--the school where your kids went--gone. He has made the ultimate sacrifice. There isn't much to say; there isn't anything we can do to bring him back. He is a young man who had his life stopped at age nineteen.

## REMARKS BY REPRESENTATIVE R. MEYERS

Mr. R. Meyers: Thank you, Mr. Speaker. Rising in support of our men and women in Operation Desert Storm. Fighting for freedom is never easy, but it is always just. Freedom's price is dear. The Representative from the 23rd District, who just spoke of Lance Corporal Michael Linderman, brings that home very clearly. The first Washingtonian to pay the ultimate price is now someone with whom we can identify and someone with whom we were close. We fight for freedom, not because we can, but, as Americans, because we must. Loss of human life will never be in vain as long as freedom prevails. All of us pray for the restoration of freedom in the Gulf and for the quick return of our men and women from Operation Desert Storm. We must also remember those who serve in the Armed Forces and who aren't in that theatre, but nonetheless are making freedom a worldwide, a global ambition that can be realized in our lifetime. Thank you.

## REMARKS BY REPRESENTATIVE SCHMIDT

Ms. Schmidt: Thank you, Mr. Speaker. While we pray for a speedy end to the war so that our troops--our brave men and women--can come home and reestablish their lives, we know now that not all of them will come home. One of the first to lose his life was Lance Corporal Michael Linderman, who was a mere nineteen years old. He was raised in Silverdale and went to school at Central Kitsap. He married his high school sweetheart, Christina. He came from a military family and lived in a military community. He knew much about what the commitment meant. Mike's death serves as a reminder to us all that battle statistics are more than just numbers--they are people. Mike was one of ours. He had a future and he had a lot to offer, not only to his family but also to us. His father said yesterday that joining the Corps was a job that Mike chose to do. Mike was proud of his decision, and his family was proud of him. Our hearts and prayers go out to Mike's family and to his wife, Christina. While there is nothing any of us can say or do to replace the loss that they feel today, we want his family to know that what Mike did and what Mike stood for will not be forgotten by any of us.

## REMARKS BY REPRESENTATIVE BOWMAN

Ms. Bowman: Thank you, Mr. Speaker. Each and every one of us has a personal feeling about the war. Some people believe that we should not be there at all. Some believe that we have to support the tough decisions that were made by our President and our Congress. But no matter what our personal belief about the war is, we can unite today behind our belief that we should support the men and women serving us there. For those of us who have family in the Gulf this is an especially trying and tense time. I ask you today to join me in supporting this resolution to show our support for the troops and, more importantly, to show our support for the families who are here at home waiting and watching--those wives and children, those moms and dads, those brothers and sisters. We send our prayers. We send our love and our concern. We trust that the war will be brief and that we can bring them back home to us once again. Thank you.

## REMARKS BY REPRESENTATIVE RASMUSSEN

Ms. Rasmussen: Thank you, Mr. Speaker. Ladies and gentlemen of the House: I would like to thank the people who have spoken previously because they have said it very well. In this body we perform a service for our community and our state. I want to tell you that the people we send overseas are performing a service for our country, as you well know. My son was called into service on the 30th of November. I have received many letters from him. Others have come from his commander and people in his troop. They want to know that we understand what they are going through and that their families back home honor them and are very, very proud of them. One of the letters I just received from my son's commanders said, "Keep us in your thoughts and your prayers." I'm so proud and pleased that we all are sending this message to

everyone in the state that they are in our thoughts and prayers. They are making Washington proud. I, for one, am very proud of them. Thank you.

On motion of Mr. Padden, the rules were suspended and the names of all members of the House of Representatives were added as sponsors of the resolution.

#### REMARKS BY REPRESENTATIVE NELSON

Mr. Nelson: Thank you, Mr. Speaker. Some of us have differed in the past on our understanding of this war and we may continue to differ on how this war can be brought to a swift conclusion. We do agree that we have a common bond with the military men and women who are representing us in the desert of Saudi Arabia. We will give them, through this resolution, all the tangible support we, as representatives of Washington State government, can muster. Thank you.

#### REMARKS BY REPRESENTATIVE COLE

Ms. Cole: Thank you, Mr. Speaker. I rise today to pay special honor to Lieutenant Colonel Clifford M. Acree. He was the second prisoner of war taken and is now being held in Iraq. He is a graduate of Shorecrest High School and grew up around the corner from me where his family still lives. His sister is in Seattle, and his wife and son are in California at the marine base where he was stationed before he was called to action. It is my hope that he will be treated humanely while he is a prisoner of war and that this resolution will give comfort to his family during the long period, the many hours, that they will be waiting for his safe return.

House Resolution No. 91-4614 was adopted.

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

#### MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Monday, February 4, 1991.

ALAN THOMPSON, Chief Clerk

JOSEPH E. KING, Speaker

## TWENTY-SECOND DAY

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MORNING SESSION  
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House Chamber, Olympia, Monday, February 4, 1991

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Bray, Cantwell and Locke. On motion of Ms. Morris, Representatives Bray, Cantwell and Locke were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Andrew Evanson and Nola Albee. Prayer was offered by Chaplain Lieutenant Colonel Richard Wiedman, I Corps Headquarters, Fort Lewis.

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

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

## INTRODUCTIONS AND FIRST READING

HB 1578 by Representative Appelwick

AN ACT Relating to vacation of county roads; and amending RCW 36.87.020.  
Referred to Committee on Local Government.

HB 1579 by Representatives Appelwick, Dellwo and Paris

AN ACT Relating to the uniform commercial code; amending RCW 62A.4-101, 62A.4-102, 62A.4-103, 62A.4-104, 62A.4-105, 62A.4-106, 62A.4-107, 62A.4-108, 62A.4-201, 62A.4-202, 62A.4-203, 62A.4-204, 62A.4-205, 62A.4-206, 62A.4-207, 62A.4-208, 62A.4-209, 62A.4-210, 62A.4-211, 62A.4-212, 62A.4-213, 62A.4-214, 62A.4-301, 62A.4-302, 62A.4-303, 62A.4-401, 62A.4-402, 62A.4-403, 62A.4-405, 62A.4-406, 62A.4-407, 62A.4-501, 62A.4-502, 62A.4-503, and 62A.4-504; adding new sections to Article 4 of Title 62A RCW; creating a new section; and repealing RCW 62A.4-109.

Referred to Committee on Financial Institutions & Insurance.

HB 1580 by Representatives Chandler, Hochstatter, R. Fisher, McLean, Grant, Nealey, Paris, Winsley, Casada, Rayburn, Moyer, Betzoff, Morton, Prince, Ferguson, Vance, D. Sommers, Jacobsen, R. King,

Bowman, Fuhrman, Ludwig, Inslee, Miller, Silver, Broback, P. Johnson and Wynne

AN ACT Relating to motor vehicle fuel; adding a new chapter to Title 46; creating a new section; prescribing penalties; and making an appropriation.

Referred to Committee on Energy & Utilities.

HB 1581 by Representatives Grant, Miller and Rasmussen; by request of Utilities & Transportation Commission

AN ACT Relating to placing the burden of proof on utilities to show that certain operations are not subject to regulation; and amending RCW 80.04.015.

Referred to Committee on Energy & Utilities.

HB 1582 by Representatives H. Myers, Rayburn, Peery, Ballard and Rasmussen

AN ACT Relating to water rights; and adding a new section to chapter 284, Laws of 1969 ex.s. as last amended by chapter 127, Laws of 1988 and to chapter 90.14 RCW.

Referred to Committee on Agriculture & Rural Development.

HB 1583 by Representatives Sheldon, Ferguson, Hargrove, Rasmussen, Cantwell, Betrozoff, Jacobsen, Jones, R. King, Basich, R. Johnson, Haugen, Inslee, Kremen, Riley, Roland, Phillips, Orr, Wynne and Spanel

AN ACT Relating to the creation of the Washington public forest commission; adding a new chapter to Title 76 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 1584 by Representatives R. King, Silver, Dellwo, Zellinsky, Wilson, Rasmussen, Forner, Vance, D. Sommers, Bowman, Pruitt, Van Luven, Fuhrman, May, Broback, Ludwig, Padden, Miller, Horn, Ballard, Mielke, McLean and Moyer

AN ACT Relating to crediting tips for state minimum wage requirements; and amending RCW 49.46.020 and 49.46.150.

Referred to Committee on Commerce & Labor.

HB 1585 by Representatives Prince, Forner, May, Paris, Miller, Ballard, Wynne and Anderson

AN ACT Relating to an office of public advocacy; amending RCW 36.39.060, 43.190.030, 80.01.100, 80.04.260, 7.68.015, 7.68.020, 7.68.030, 7.68.035, 7.68.050, 7.68.060, 7.68.070, 7.68.080, 7.68.085, 7.68.090, 7.68.110, 7.68.120, 7.68.125, 7.68.130, 7.68.140, 7.68.145, 7.68.150, 7.68.165, 7.68.200, 7.68.210, 7.68.220, 7.68.230, 7.68.240, 7.68.270, and 43.22.505; reenacting and amending RCW 80.04.110; adding a new chapter to Title 43 RCW; creating a new section; repealing RCW 7.68.160; and prescribing penalties.

Referred to Committees on State Government/Appropriations.

HB 1586 by Representatives D. Sommers, Prentice, Moyer, Paris, Braddock and Franklin

AN ACT Relating to continuing care retirement communities; and amending RCW 70.38.025 and 70.38.111.

Referred to Committee on Health Care.

HB 1587 by Representatives R. Fisher, Betrozoff, R. Meyers and Winsley; by request of Washington Traffic Safety Commission

AN ACT Relating to the addition of the secretary of health to the traffic safety commission; and amending RCW 43.59.030.

Referred to Committee on Transportation.

HB 1588 by Representatives Pruitt, Bowman, Anderson, McLean and Paris; by request of State Board of Accountancy

AN ACT Relating to the board of accountancy; and amending RCW 18.04.035, 18.04.045, 18.04.055, 18.04.065, 18.04.295, 18.04.345, and 18.04.350.

Referred to Committee on State Government.

HB 1589 by Representatives H. Sommers, Neher, Wang, Schmidt, Brough, Heavey, R. Johnson, Broback, Paris, Riley, Miller, Phillips, Orr and O'Brien; by request of Office of Financial Management

AN ACT Relating to the funding of common school construction and modernization; amending RCW 66.24.210, 66.24.290, 82.08.150, and 82.24.020; adding a new section to chapter 28A.525 RCW; creating a new section.

Referred to Committees on Judiciary/Capital Facilities & Financing.

HB 1590 by Representatives Nealey, Grant, Jacobsen, Rayburn, May, Ballard, Chandler, R. Fisher, Ferguson, Anderson, McLean, Fuhrman, Prince, D. Sommers, Betrozoff, Pruitt, Ludwig, Silver and Broback

AN ACT Relating to the study of ethanol for supplemental energy production; creating new sections; and making an appropriation.

Referred to Committees on Energy & Utilities/Appropriations.

HB 1591 by Representatives Nealey, Rayburn, Grant, Jacobsen, Anderson, May, Hochstatter, Bray, Chandler, R. Fisher, Ferguson, McLean, Fuhrman, Prince, Vance, Betzoff, R. King, Bowman, Paris, Inslee, Scott, Horn, Moyer, Broback, Wynne and Casada

AN ACT Relating to dispensing gasohol at state facilities; and amending RCW 43.41.130.

Referred to Committee on Energy & Utilities.

HB 1592 by Representatives Anderson, McLean, R. Fisher, Paris and Nealey; by request of Secretary of State

AN ACT Relating to procedures for calling special local elections; and amending RCW 29.13.010 and 29.13.020.

Referred to Committee on State Government.

HB 1593 by Representatives Anderson, McLean, R. Fisher, Forner, Winsley, Pruitt and Horn; by request of Secretary of State

AN ACT Relating to charges for space in the candidates' pamphlet; and amending RCW 29.80.050.

Referred to Committee on State Government.

HB 1594 by Representatives Anderson, McLean, R. Fisher, Winsley and Pruitt; by request of Secretary of State

AN ACT Relating to local voters' pamphlets; and amending RCW 29.81A.080.

Referred to Committee on State Government.

HB 1595 by Representatives Anderson, McLean, R. Fisher, D. Sommers, Jacobsen, Winsley, Pruitt, Van Luven and Paris; by request of Secretary of State

AN ACT Relating to the confidentiality of initiative, referendum, and recall petitioners; adding a new section to chapter 29.79 RCW; and adding a new section to chapter 29.82 RCW.

Referred to Committee on State Government.

HB 1596 by Representatives Anderson, McLean, R. Fisher and Pruitt; by request of Secretary of State

AN ACT Relating to filing fees for candidates; amending RCW 29.18.050 and 29.15.050; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on State Government.

HB 1597 by Representatives Locke, Heavey, Fuhrman, Valle, Vance, Jacobsen, Pruitt, Cole, Belcher, Sheldon, Brekke, H. Myers, Rasmussen and Dorn

AN ACT Relating to restrictions on the sale of tobacco products; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 1598 by Representatives Basich, Jacobsen, Hine, Peery, Hargrove, Sheldon, Jones, H. Myers, Winsley and G. Fisher

AN ACT Relating to financial aid; amending RCW 28B.102.020 and 28B.102.060; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Higher Education.

HB 1599 by Representatives Basich, Hargrove, Jones, Sheldon, Riley, P. Johnson, Bowman, Belcher, Cole, Brumsickle, Kremen, R. Johnson, Heavey, Morris, H. Myers, Peery, Rayburn, Jacobsen, R. King, Inslee, G. Fisher, Roland, Phillips, Orr, Cooper, Rasmussen and Spanel

AN ACT Relating to unemployment insurance; amending RCW 50.04.030; adding new sections to chapter 50.22 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1600 by Representatives Basich, Hargrove, Jones, Sheldon, Riley, P. Johnson, Bowman, Inslee, Morris, Brumsickle, Kremen, R. Johnson, H. Myers, Peery, Rayburn, Zellinsky, Jacobsen, Paris, G. Fisher, Roland, Phillips, Orr, Cooper, Rasmussen and Spanel

AN ACT Relating to employment opportunities for federal timber impact areas; adding a new chapter to Title 50 RCW; creating a new section; and making an appropriation.

Referred to Committees on Trade & Economic Development/  
Appropriations.

HB 1601 by Representatives Spanel, D. Sommers, Hine, Silver, H. Sommers, Forner, Jacobsen, Winsley, Bowman, Pruitt, Kremen and Miller; by request of Department of Retirement Systems

AN ACT Relating to notification to state employees of accumulated service credit by the department of retirement systems; and amending RCW 41.50.065.

Referred to Committee on Appropriations.

HB 1602 by Representatives Moyer, Prentice, Mielke, Franklin, Cooper, Wang, Silver, Morris, Zellinsky, D. Sommers, Betrozoff, Winsley, Edmondson, Paris, Padden, Miller, Tate and Casada

AN ACT Relating to an exemption from retail sales tax and use tax on glucose monitoring equipment; amending RCW 82.08.0283 and 82.12.0277; providing an effective date; and declaring an emergency.

Referred to Committee on Revenue.

HB 1603 by Representatives Fraser, Belcher, D. Sommers, Betrozoff, Franklin, Appelwick, Ferguson, Bowman, Peery, Tate, Dorn, Prince, Brumsickle, Winsley, Orr, Holland, Wineberry, H. Myers, Rasmussen, Cantwell, Pruitt, Neher, Forner, Dellwo, R. Johnson, Scott, G. Fisher, Zellinsky, Roland, Locke, Phillips and Casada

AN ACT Relating to retirement allowances for members of the teachers' and public employees' retirement systems; and amending RCW 41.32.575 and 41.40.325.

Referred to Committee on Appropriations.

HB 1604 by Representatives Brekke, Winsley, Leonard, Riley, Anderson, H. Myers, R. Johnson, Valle, Scott, Belcher, Phillips, Sheldon and Rasmussen

AN ACT Relating to the establishment and operation of safe houses for runaway and street youth; adding new sections to chapter 74.13 RCW; creating a new section; making an appropriation; and declaring an emergency.

Referred to Committees on Human Services/Appropriations.

HB 1605 by Representatives Bowman, Anderson, Silver, P. Johnson, Padden, Sheldon, Tate, Heavey, Mielke, Casada, Ballard, Prentice, Moyer, Pruitt, Schmidt, Broback, Cantwell, Ferguson, Vance, D. Sommers, Betrozoff, Winsley, Paris, Kremen, Miller and Chandler

AN ACT Relating to commercial activity by government agencies; and adding a new chapter to Title 43 RCW.

Referred to Committee on Trade & Economic Development.

HB 1606 by Representatives Ebersole, Rasmussen, Cole, R. Johnson, R. Meyers, Paris, Winsley, Dellwo, Jacobsen and Dorn

AN ACT Relating to contracts with insurance agents; and adding a new section to chapter 48.18 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1607 by Representatives Horn, Roland and Haugen

AN ACT Relating to liens for delinquent service charges of storm water control facilities and city-owned sewer systems; amending RCW 36.89.090 and 35.67.200; and adding a new section to chapter 35.67 RCW.

Referred to Committee on Local Government.

HB 1608 by Representatives Leonard, Winsley, Rasmussen, Beck, Anderson, Hargrove, Brekke, Bowman, Dorn, Hine, Rust, Riley, Spanel, H. Myers, Dellwo, Phillips, Haugen, Jacobsen, Jones, R. King, Pruitt, Basich, R. Johnson, Van Luven, Holland, Valle, Paris, Belcher, Sheldon and O'Brien

AN ACT Relating to children's services; amending RCW 13.32A.040, 74.13.032, and 74.13.035; adding new sections to chapter 43.20A RCW; creating new sections; and making appropriations.

Referred to Committees on Human Services/Appropriations.

HB 1609 by Representatives Leonard, Winsley, Riley, Brekke, R. King, Anderson, Phillips, Dellwo, Spanel, Haugen, Hine, Jones, Pruitt, Basich, R. Johnson, Van Luven, Wang, Valle, Inslee, Belcher, Sheldon and O'Brien

AN ACT Relating to mental health services for children; amending RCW 74.09.700, 71.24.049, and 71.24.300; reenacting and amending RCW 74.09.520; adding a new chapter to Title 71 RCW; creating a new section; making an appropriation; and declaring an emergency.

Referred to Committees on Human Services/Appropriations.

HB 1610 by Representatives Leonard, Winsley, Franklin and Nelson

AN ACT Relating to the mobile home landlord-tenant act; amending RCW 59.20.080 and 59.20.090; and adding new sections to chapter 59.20 RCW.

Referred to Committee on Housing.

HB 1611 by Representatives Jones, Winsley, Grant, R. Johnson, Ludwig, Cole, Scott, Roland, Orr and Cooper; by request of Attorney General

AN ACT Relating to petroleum distribution; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Energy & Utilities.

HB 1612 by Representatives Jacobsen, H. Myers, Hochstatter, Grant, May, Casada, Winsley, Paris, Kremen, Chandler, Orr and Rasmussen; by request of Attorney General

AN ACT Relating to telephone information delivery services; amending RCW 80.36.500; and adding a new chapter to Title 19 RCW.

Referred to Committee on Energy & Utilities.

HB 1613 by Representatives Grant and May

AN ACT Relating to state preemption of the siting of high voltage electrical transmission lines; amending RCW 80.50.020; adding a new section to chapter 80.32 RCW; and creating a new section.

Referred to Committee on Energy & Utilities.

HB 1614 by Representatives H. Myers, Hargrove, Beck, Peery, Anderson, Riley, Leonard, Winsley, Brekke, Miller, Cooper, Grant, Cole, G. Fisher, Belcher, Ogden, Nelson, Phillips, Franklin, Pruitt, Morris, Wineberry, Prentice, Inslee, Rust, Ludwig, Heavey, Fraser, Jacobsen, Bray, Dellwo, Jones, R. King, Basich, R. Johnson, Holland, Kremen, Scott, Rasmussen and O'Brien

AN ACT Relating to child care services for homeless families including families that are homeless due to domestic violence; adding new sections to chapter 74.15 RCW; creating a new section; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committees on Human Services/Appropriations.

HB 1615 by Representatives Orr, Mielke, Heavey, Dellwo, Riley, Winsley, Vance, Zellinsky, Brough, Jacobsen, Jones, Pruitt, R. Johnson, Van Luven, Haugen, Paris, Inslee, Kremen, Scott, Rayburn, Roland, Chandler, Moyer, Sheldon, Cooper, H. Myers, Rasmussen, O'Brien, Dorn and Anderson

AN ACT Relating to forfeiture of vehicles used in the sale and purchase of drugs; reenacting and amending RCW 69.50.505; and creating a new section.

Referred to Committee on Judiciary.

HB 1616 by Representatives Ludwig, Riley, Paris, Heavey, Prince, R. Johnson, Mielke, Orr, Bray, Ferguson, Vance, Winsley, Van Luven, Haugen, Kremen, Scott, Rayburn, Miller, Roland, Chandler, Moyer and Sheldon

AN ACT Relating to seizure of property; and adding a new chapter to Title 10 RCW.

Referred to Committee on Judiciary.

HB 1617 by Representatives R. King, Wilson, Day, Edmondson and Miller

AN ACT Relating to unfair practices in employment; adding new sections to chapter 49.44 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 1618 by Representatives Cooper, Vance and Dellwo

AN ACT Relating to vehicle dealer licensing; and amending RCW 46.70.041.

Referred to Committee on Commerce & Labor.

HB 1619 by Representatives Mitchell, Nelson, Franklin, Wynne, Ferguson, Haugen, Cooper, Rayburn, Roland, Wood, Edmondson, Nealey, Zellinsky, Ogden, Ballard, Winsley, Tate, Paris, D. Sommers, Brough, Wilson, Betrozoff, Jacobsen, Bowman, R. Johnson, Leonard, Padden, Miller and Moyer

AN ACT Relating to property tax exemptions for improvements to multifamily rental housing; and adding a new section to chapter 84.36 RCW.

Referred to Committees on Housing/Revenue.

HB 1620 by Representatives Franklin, Mitchell, Nelson, Wood, Day, Edmondson, Prentice, Ferguson, Paris, Cole, Moyer, Zellinsky, Wynne, Winsley, Wineberry, Heavey, Ogden, P. Johnson, Ludwig, R. Meyers, Locke, Wilson, Jacobsen, R. Johnson, Leonard, Dellwo, Van Luven, Insee, Riley, Miller, Phillips and Anderson

AN ACT Relating to tax credits for affordable housing; and adding a new chapter to Title 82 RCW.

Referred to Committees on Housing/Revenue.

HB 1621 by Representatives Mitchell, Nelson, Franklin, Ferguson, Haugen, Cooper, Rayburn, Roland, Wood, Wynne, Nealey, Zellinsky, Ogden,

Ballard, Tate, Winsley, Paris, Forner, D. Sommers, Brough, Wilson and Leonard

AN ACT Relating to sales and use tax exemptions on the construction of multifamily rental housing; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committees on Housing/Revenue.

HB 1622 by Representatives Franklin, Paris, Nelson, Moyer, Pruitt, Wood, Prentice, Winsley, Cole, Ogden, Wineberry, Zellinsky, R. Meyers, Jones, Roland, Locke, Wilson, R. Johnson, Leonard, Haugen, Inslee and Anderson

AN ACT Relating to funding for the housing trust fund; and amending RCW 82.04.4292.

Referred to Committee on Housing.

HB 1623 by Representatives Ogden, Mitchell, Nelson, Winsley, Franklin, H. Sommers, Jacobsen, R. Johnson, Leonard, Haugen, Phillips and Anderson

AN ACT Relating to the housing trust fund; and making an appropriation.

Referred to Committee on Capital Facilities & Financing.

HB 1624 by Representatives Nelson, Mitchell, H. Sommers, Jacobsen, Winsley, R. Johnson and Phillips

AN ACT Relating to the housing trust fund; amending RCW 43.185.010, 43.185.030, 43.185.050, 43.185.070, and 43.185.080; and adding a new section to chapter 43.185 RCW.

Referred to Committee on Housing.

HB 1625 by Representatives McLean, Rayburn, Nealey, Kremen, Chandler, Grant, Fuhrman, Ballard, Moyer and Rasmussen

AN ACT Relating to combined reporting for agricultural employers; and amending RCW 49.30.005.

Referred to Committee on Commerce & Labor.

HB 1626 by Representatives McLean and Ballard

AN ACT Relating to archaeological objects and sites; and amending RCW 27.53.030 and 27.53.060.

Referred to Committee on State Government.

HB 1627 by Representatives Fuhrman, Heavey, R. King, Morris, McLean, Prentice, Ballard, R. Meyers, Jones, Pruitt, Van Luven, Kremen, Hochstatter, Nealey, P. Johnson, Wynne, Casada and Dorn

AN ACT Relating to provision of chiropractic services in industrial insurance; and amending RCW 51.04.030.

Referred to Committee on Commerce & Labor.

HB 1628 by Representatives Heavey, Ferguson, Lisk, McLean, Cooper, Brough, Jones and R. King

AN ACT Relating to pasteurization in relation to licenses for the sale of beer; and amending RCW 66.24.320, 66.24.330, 66.24.350, and 66.24.360.

Referred to Committee on Commerce & Labor.

HB 1629 by Representatives Prentice, Wood, R. Meyers, Franklin, Day, Miller, Ludwig, Morris, Pruitt, Brough, Braddock, Anderson, Betzoff, Cooper, Fuhrman, R. King, McLean, Cantwell, Leonard, Kremen, Nealey, Phillips, P. Johnson, Wynne and Dorn

AN ACT Relating to chiropractic; amending RCW 18.25.005, 18.25.040, and 18.25.090; adding a new section to chapter 18.25 RCW; and declaring an emergency.

Referred to Committee on Health Care.

HB 1630 by Representatives Fuhrman, D. Sommers, Bowman, Padden, Lisk, Chandler, Hochstatter, Nealey, Morton and Casada

AN ACT Relating to first or second stage impaired air quality; amending RCW 70.94.473; and adding a new section to chapter 70.94 RCW.

Referred to Committee on Environmental Affairs.

HB 1631 by Representatives Wineberry, McLean, Franklin, Anderson, Ballard, Ebersole, Ferguson, Miller, Hine, Horn, Prince, Prentice, Holland, O'Brien, May, Wang, Fuhrman, Belcher, Bowman, Heavey, Van Luven, Phillips, Paris, Hargrove, Lisk, Spanel, Moyer, Braddock, Brumsickle, R. Fisher, D. Sommers, Appelwick, Padden, R. Meyers, Peery, Tate, Jones, Betzoff, Cole, Dorn, Grant, Ludwig, Valle, Rayburn, Sheldon, Riley, H. Myers, Pruitt, Nelson, Kremen, Zellinsky, Dellwo, Sprengle, Jacobsen, Scott, Rust, Ogden, G. Fisher, Bray, Cantwell, Inslee, Brough, R. King, Winsley, Basich, Leonard, Locke, Orr, Cooper, Brekke, Rasmussen, P. Johnson and Casada

AN ACT Relating to the commission on African-American affairs; adding a new chapter to Title 43 RCW; and making an appropriation.

Referred to Committees on State Government/Appropriations.

HB 1632 by Representatives Winsley, Peery, Brough, Pruitt, Silver, Orr, Vance, Miller, Tate, Wood, Wynne, Edmondson, Horn, Broback, Holland, Moyer, Mitchell, Paris, McLean, Rasmussen, Cole, Scott and R. Johnson

AN ACT Relating to transcript review; and creating a new section.

Referred to Committee on Education.

HB 1633 by Representatives Wood, Jacobsen, Wynne, Ogden, Prentice, Heavey, Haugen; Prince, Paris, Van Luven, Tate, Miller, Jones, Kremen, Riley and Moyer

AN ACT Relating to tuition and fee waivers for state employees at state institutions of higher education; and amending RCW 28B.15.558.

Referred to Committees on Higher Education/Appropriations.

HB 1634 by Representatives Winsley, Appelwick, Forner, Padden, Vance, Miller, D. Sommers, Tate, Wood, Wynne, Horn, Bowman, Neher, Holland, Moyer, Casada, Mitchell, Paris, Chandler, Ferguson, Betrozoff, Lisk, Cole, Scott, R. Johnson, Kremen, Riley, Ballard and Anderson

AN ACT Relating to penalties for improper use of parking spaces for disabled persons; amending RCW 46.16.381; and prescribing penalties.

Referred to Committee on Judiciary.

HJM 4004 by Representatives Nealey, Grant, Beck, Valle, May, Ludwig, Betrozoff, Rayburn, Chandler, Prince, McLean, Hochstatter, Rasmussen, Silver, Vance, D. Sommers, Jacobsen, R. King, Bowman, Fuhrman, Paris, Horn, Moyer and Broback

Requesting Congress to increase ethanol content in motor fuel.

Referred to Committee on Energy & Utilities.

HJR 4215 by Representatives Anderson, McLean, R. Fisher and Winsley; by request of Secretary of State

Clarifying voter qualifications.

Referred to Committee on State Government.

## MOTION

On motion of Mr. Ebersole, the bills, memorial and resolution listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

## REPORTS OF STANDING COMMITTEES

January 30, 1991

HB 1001 Prime Sponsor, Representative Locke: Requiring the top two vote getters in nonpartisan elections to appear on the general election ballot. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 1001 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Passed to Committee on Rules for second reading.

January 31, 1991

HB 1010 Prime Sponsor, Representative Haugen: Creating an office of natural resource enforcement. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: That Substitute House Bill No. 1010 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; Wilson, Ranking Minority Member; Fuhrman, Assistant Ranking Minority Member; Basich; Cole; Haugen; Hochstatter; Orr; Padden; and Spanel.

Excused: Representative Morris, Vice Chair.

Referred to Committee on Appropriations.

January 30, 1991

HB 1071 Prime Sponsor, Representative Anderson: Changing provisions relating to the appointment of precinct election officers. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Passed to Committee on Rules for second reading.

January 31, 1991

HB 1143 Prime Sponsor, Representative Wood: Authorizing honorary degrees. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Basich; Dellwo; Fraser; Ludwig; Miller; Prince; Sheldon; Spanel; and Van Luven.

Passed to Committee on Rules for second reading.

January 31, 1991

HB 1401 Prime Sponsor, Representative Wang: Enacting the Washington taxpayer's rights and responsibilities act. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1401 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; Silver; and Van Luven.

Excused: Representatives Appelwick; Day; and Silver.

Passed to Committee on Rules for second reading.

January 31, 1991

HB 1402 Prime Sponsor, Representative Morris: Changing penalties and interest for tax evasion, refunds, and late payment. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1402 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Rust; Silver; and Van Luven.

Excused: Representatives Appelwick and Day.

Passed to Committee on Rules for second reading.

January 30, 1991

HJR 4200 Prime Sponsor, Representative Locke: Amending the Constitution to remove the special procedures for nonpartisan elections. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Ebersole, the bills and resolution listed on today's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker (Mr. O'Brien presiding) called the House to order.

Representatives Cantwell and Locke appeared at the bar of the House.

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

#### SECOND READING

#### MOTION

Mr. Ebersole moved that the House immediately consider the following bills in the following order: House Bill No. 1299, House Bill No. 1297 and House Bill No. 1301. The motion was carried.

HOUSE BILL NO. 1299, by Representatives Phillips, Holland, Wang, Horn, Fraser, Ballard, Rust, Brumsickle, Leonard, Tate, Pruitt, Haugen, May, Nelson, Bowman, O'Brien, Nealey, Heavey, D. Sommers, Belcher, Broback, Jacobsen, Ferguson, Morris, Winsley, Appelwick, Van Luven, Franklin, Wynne, H. Sommers, Neher, Wineberry, Mitchell, Ogden, Edmondson, Spanel, Forner, Casada, Wood, Mielke, P. Johnson, Kremen, Dorn, Paris, Wilson, Fuhrman, Lisk, Zellinsky, Vance, Hochstatter, Cooper, Betrozoff, Schmidt, Brough, Chandler, Miller, McLean, R. King, Jones, Silver, Dellwo, Rayburn, H. Myers, Bray, Roland, Valle, Basich, Hine, Scott and Anderson

Increasing the maximum income limits for senior citizens and retired persons' tax exemptions.

The bill was read the second time.

Ms. Forner moved adoption of the following amendment by Representatives Forner, Tate, Ferguson and Bowman:

On page 5, line 22, after "exceed" strike "one acre" and insert "five acres"

Ms. Forner spoke in favor of adoption of the amendment, and Mr. Wang spoke against it.

Mr. Tate demanded an electric roll call vote, and the demand was sustained.

### ROLL CALL

The Clerk called the roll on adoption of the amendment on page 5, line 22, by Representative Forner and others to House Bill No. 1299, and the amendment was not adopted by the following vote: Yeas - 48, Nays - 48, Absent - 1, Excused - 1.

Voting yea: Representatives Ballard, Basich, Beck, Betzoff, Bowman, Broback, Brough, Brumsickle, Casada, Chandler, Edmondson, Ferguson, Forner, Fuhrman, Hargrove, Hochstatter, Holland, Horn, Johnson P., Johnson R., Jones, Lisk, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Paris, Prince, Riley, Roland, Schmidt, Sheldon, Silver, Sommers, D., Tate, Vance, Van Luven, Wilson, Winsley, Wood, Wynne - 48.

Voting nay: Representatives Anderson, Appelwick, Belcher, Braddock, Brekke, Cantwell, Cole, Cooper, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Haugen, Heavey, Hine, Inslee, Jacobsen, King, R., Kremen, Leonard, Locke, Ludwig, Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Rust, Scott, Sommers, H., Spanel, Sprengle, Valle, Wang, Wineberry, Zellinsky, and Mr. Speaker - 48.

Absent: Representative Day - 01.

Excused: Representative Bray - 01.

The Clerk read the following amendment by Representative Holland:

On page 5, line 1, strike everything through line 15 and insert:

"(5) (a) A person who otherwise qualifies under this section and has a combined disposable income of (~~eighteen~~) thirty thousand dollars or less shall be exempt from all excess property taxes; and

(b) (i) A person who otherwise qualifies under this section and has a combined disposable income of eighteen thousand dollars or less but greater than fourteen thousand dollars shall be exempt from all regular property taxes on the greater of forty thousand dollars or thirty percent of the valuation of his or her residence, but not to exceed one hundred thousand dollars of the valuation of his or her residence; or

(ii) A person who otherwise qualifies under this section and has a combined disposable income of fourteen thousand dollars or less but greater than twelve thousand dollars shall be exempt from all regular property taxes on the greater of ((twenty-four)) forty thousand dollars or ((thirty)) forty percent of the valuation of his or her residence, but not to exceed ((forty)) one hundred thousand dollars of the valuation of his or her residence; or

((iii)) (iii) A person who otherwise qualifies under this section and has a combined disposable income of twelve thousand dollars or less shall be exempt from all regular property taxes on the greater of ((twenty-eight)) forty thousand dollars or fifty percent of the valuation of his or her residence, but not to exceed one hundred thousand dollars of the valuation of his or her residence."

With consent of the House, Representative Holland withdrew the amendment.

## MOTION

Mr. Ebersole moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

Ms. Miller spoke in favor of the motion, and it was carried.

Representatives Wang, Holland, Phillips and Horn spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1299, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Bray - 01.

House Bill No. 1299, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1297, by Representatives Wang, Nelson, Horn, Phillips, Fraser, Heavey, Rust, Brumsickle, Leonard, Belcher, Haugen, Winsley, Jacobsen, Ferguson, Morris, Spanel, Appelwick, O'Brien, H. Sommers, Franklin, Wineberry, Dorn, Cooper, R. King, Jones, Pruitt, H. Myers, Ogden, Bray, Cole, Roland, Basich, Hine, Scott and Anderson

Providing temporary property tax relief for low-income homeowners.

The bill was read the second time.

The Clerk read the following amendment by Representative Heavey:

On page 2, line 23, after "less" insert "or for homeowners with children under the age of 18 a disposable income of fifty thousand dollars or less"

With consent of the House, Representative Heavey withdrew the amendment.

## MOTION

Mr. Ebersole moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

Ms. Miller spoke against the motion, and Mr. Ebersole spoke in favor of it.

Mr. Dorn demanded an electric roll call vote, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion by Representative Ebersole to suspend the rules, consider second reading as third reading, and place House Bill No. 1297 on final passage, and the motion was not carried by the following vote: Yeas - 62, Nays - 35, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Basich, Beck, Belcher, Braddock, Brekke, Cantwell, Casada, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Sprengle, Tate, Valle, Wang, Wineberry, Zellinsky, and Mr. Speaker - 62.

Voting nay: Representatives Ballard, Berozoff, Bowman, Broback, Brough, Brumsickle, Chandler, Edmondson, Ferguson, Fuhrman, Hochstatter, Holland, Horn, Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Paris, Prince, Schmidt, Silver, Sommers, D., Vance, Van Luven, Wilson, Winsley, Wood, Wynne - 35.

Excused: Representative Bray - 01.

The Speaker (Mr. O'Brien presiding) passed House Bill No. 1297 to Committee on Rules for third reading.

HOUSE BILL NO. 1301, by Representatives Wang, Holland, Fraser, Horn, Rust, Brumsickle, Leonard, Ballard, Nelson, Heavey, Haugen, Winsley, Jacobsen, May, Morris, Ferguson, Appelwick, Phillips, H. Sommers, Belcher, Locke, Pruitt, Franklin, Spanel, Van Luven, Cooper, Wineberry, H. Myers, Bray, Scott and Anderson

Improving property tax administrative practices.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1301 was substituted for House Bill No. 1301, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1301 was read the second time.

Mr. Morton moved adoption of the following amendment:

On page 2, after line 28, insert "The state shall reimburse each county of the first through ninth classes for the cost of increasing the frequency of reevaluation above the level in effect in the county on January 1, 1991."

Representatives Morton and Chandler spoke in favor of adoption of the amendment, and Mr. Wang spoke against it.

Mr. Tate demanded an electric roll call vote, and the demand was sustained.

Ms. Fraser spoke against adoption of the amendment, and Mr. Morton again spoke in favor of it.

### ROLL CALL

The Clerk called the roll on adoption of the amendment on page 2, after line 28, by Representative Morton to Substitute House Bill No. 1301, and the amendment was not adopted by the following vote: Yeas - 39, Nays - 57, Absent - 1, Excused - 1.

Voting yea: Representatives Ballard, Basich, Beck, Betrozoff, Bowman, Broback, Brough, Brumsickle, Casada, Chandler, Edmondson, Ferguson, Forner, Fuhrman, Hochstatter, Holland, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Paris, Prince, Silver, Sommers, D., Tate, Vance, Wilson, Winsley, Wood, Wynne - 39.

Voting nay: Representatives Anderson, Appelwick, Belcher, Braddock, Brekke, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Sommers, H., Spanel, Valle, Van Luven, Wang, Wineberry, Zellinsky, and Mr. Speaker - 57.

Absent: Representative Sprenkle - 01.

Excused: Representative Bray - 01.

Mr. Morton moved adoption of the following amendment:

On page 6, line 24, strike "1996 and thereafter." and insert "2001 and thereafter in counties of the first through ninth classes, and thereafter for all other counties."

Mr. Morton spoke in favor of adoption of the amendment, and Mr. Wang spoke against it.

The Speaker assumed the Chair.

Mr. Chandler spoke in favor of the amendment.

Mr. Tate demanded an electric roll call vote, and the demand was sustained.

Representative Sprenkle appeared at the bar of the House.

## ROLL CALL

The Clerk called the roll on adoption of the amendment on page 6, line 24, by Representative Morton to Substitute House Bill No. 1301, and the amendment was not adopted by the following vote: Yeas - 36, Nays - 61, Absent - 0, Excused - 1.

Voting yea: Representatives Ballard, Beck, Betrozoff, Bowman, Broback, Brough, Brumsickle, Casada, Chandler, Forner, Fuhrman, Hochstatter, Holland, Johnson P., King, R., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Paris, Prince, Silver, Sommers, D., Tate, Vance, Wilson, Winsley, Wood, Wynne - 36.

Voting nay: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Brekke, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Horn, Insee, Jacobsen, Johnson R., Jones, Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Valle, Van Luven, Wang, Wineberry, Zellinsky, and Mr. Speaker - 61.

Excused: Representative Bray - 01.

Mr. Morton moved adoption of the following amendment:

On page 1, line 11, strike everything through page 2, line 28, and insert:

"(1) Each county assessor shall maintain an active and systematic program of revaluation on a continuous basis(, and)).

(2) Each county assessor in counties of the first through ninth classes shall establish a revaluation schedule which will result in revaluation of all taxable real property within the county at least once each four years and physical inspection of all taxable real property within the county at least once each six years.

(3) Each county assessor in A and AA counties shall establish a revaluation schedule which will result in revaluation of all taxable real property within the county at least once each year and physical inspection of all taxable real property within the county at least once each six years.

Sec. 2. RCW 84.41.041 and 1987 c 319 s 4 are each amended to read as follows:

Each county assessor shall cause taxable real property to be physically inspected ~~((and valued))~~ at least once every six years in accordance with RCW 84.41.030, and in accordance with a plan filed with and approved by the department of revenue. Such revaluation plan shall provide that a reasonable portion of all taxable real property within a county shall be ~~((revalued and these))~~ physically inspected and newly-determined values based on these physical inspections shall be placed on the assessment rolls each year. ~~((The department may approve a plan that provides that all property in the county be revalued every two years. If the revaluation plan provides for physical inspection at least once each four years, during the intervals between each physical inspection of real property, the valuation of such property may be adjusted to its current true and fair value, such adjustments to be based upon appropriate statistical data. If the revaluation plan provides for physical inspection less frequently than once each four years,))~~ During the intervals between each physical inspection of real property, the valuation of such property shall be adjusted to its current true and fair value, such adjustments to be made ~~((once each year))~~ at least as frequently as necessary to comply with RCW 84.41.030 and may be made once each year. The adjustments are to be based upon appropriate statistical data.

The assessor may require property owners to submit pertinent data respecting taxable property in their control including data respecting any sale or purchase of said

property within the past five years, the cost and characteristics of any improvement on the property and other facts necessary for appraisal of the property."

Mr. Morton spoke in favor of adoption of the amendment, and Ms. Fraser spoke against it.

Mr. Tate demanded an electric roll call vote, and the demand was sustained.

Mr. Chandler spoke in favor of the amendment.

### ROLL CALL

The Clerk called the roll on adoption of the amendment on page 1, line 11, by Representative Morton to Substitute House Bill No. 1301, and the amendment was not adopted by the following vote: Yeas - 38, Nays - 59, Absent - 0, Excused - 1.

Voting yea: Representatives Ballard, Beck, Betrozoff, Bowman, Broback, Brough, Brumsickle, Casada, Chandler, Edmondson, Ferguson, Forner, Fuhrman, Hochstatter, Holland, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Paris, Prince, Silver, Sommers, D., Tate, Vance, Wilson, Winsley, Wood, Wynne - 38.

Voting nay: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Brekke, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Valle, Van Luven, Wang, Wineberry, Zellinsky, and Mr. Speaker - 59.

Excused: Representative Bray - 01.

The Speaker passed Substitute House Bill No. 1301 to Committee on Rules for third reading.

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

### MOTION

On motion of Mr. Ebersole, the House adjourned until 12:00 Noon, Tuesday, February 5, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

## TWENTY-THIRD DAY

-----  
NOON SESSION  
-----

House Chamber, Olympia, Tuesday, February 5, 1991

The House was called to order at 12:00 Noon by the Speaker (Mr. O'Brien presiding).

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

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

## INTRODUCTIONS AND FIRST READING

HB 1635 by Representatives Haugen, Day, D. Sommers, Nealey, Orr and Wynne

AN ACT Relating to local governmental medical care and services; and amending RCW 84.52.069.

Referred to Committee on Local Government.

HB 1636 by Representatives Scott, Padden, Wineberry, Beck, Appelwick, Tate, Riley, Belcher, Winsley, Orr, Wynne and Broback

AN ACT Relating to emergency management; amending RCW 9.95.210 and 38.52.010; adding a new section to chapter 38.52 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1637 by Representatives Scott, Heavey, Cole, Winsley, Leonard, Cantwell, Wang, Jones, Day, Brough, Rasmussen, Miller, R. Johnson, Kremen and Orr

AN ACT Relating to tax credits for employer-sponsored child care facilities; and adding a new section to chapter 82.04 RCW.

Referred to Committees on Trade & Economic Development/ Revenue.

HB 1638 by Representatives Inslee, Winsley, Grant, R. Meyers, Padden, Dellwo, Wang and Orr

AN ACT Relating to partial summary judgments; and adding a new section to chapter 4.56 RCW.

Referred to Committee on Judiciary.

HB 1639 by Representatives R. King, O'Brien, Jones, Heavey, Basich, Franklin, Grant, Orr, Prentice, Cole, Dellwo and Anderson

AN ACT Relating to state printing; amending RCW 43.78.110 and 43.78.030; adding a new section to chapter 43.78 RCW; and prescribing penalties.

Referred to Committee on State Government.

HB 1640 by Representatives Locke, Prince, Dellwo and Brough

AN ACT Relating to campaign financing; amending RCW 42.17.030, 42.17.095, 42.17.390, and 42.17.510; adding new sections to chapter 42.17 RCW; creating a new subchapter in chapter 42.17 RCW; creating a new section; repealing RCW 42.17.100, 42.17.105, and 42.17.175; making an appropriation; prescribing penalties; and providing an effective date.

Referred to Committees on State Government/Appropriations.

HB 1641 by Representatives R. King, Schmidt, Basich, Padden, Zellinsky, Fuhrman, Wilson, Orr, Hochstatter and Day

AN ACT Relating to the protection of the food fish resource; amending RCW 75.20.100 and 75.20.130; adding new sections to chapter 75.20 RCW; and prescribing penalties.

Referred to Committee on Fisheries & Wildlife.

HB 1642 by Representatives Fraser, Brumsickle, Van Luven, Phillips, Holland, Rasmussen, Winsley and Bowman

AN ACT Relating to senior citizen property tax relief; amending RCW 84.36.383; and creating a new section.

Referred to Committee on Revenue.

HB 1643 by Representatives Bowman, Fraser, Silver, Sheldon, Tate, Brumsickle and Winsley

AN ACT Relating to retired state government employees' medical care coverage; amending RCW 41.05.065; and creating a new section.

Referred to Committee on Health Care.

HB 1644 by Representatives Tate, Mitchell, Vance, Hargrove, Beck, Silver, Broback, Bowman and Winsley

AN ACT Relating to printing of government documents; and adding a new section to chapter 43.78 RCW.

Referred to Committee on State Government.

HB 1645 by Representatives Locke, Jones, Rasmussen, Bowman and Wynne; by request of Dept. of Trade and Economic Development and Office of Financial Management

AN ACT Relating to timber impact areas; amending RCW 43.160.010 and 43.160.020; and adding a new section to chapter 43.160 RCW.

Referred to Committees on Trade & Economic Development/ Capital Facilities & Financing.

HB 1646 by Representative Locke; by request of Office of Financial Management and Dept. of Social and Health Services

AN ACT Relating to class IV human immunodeficiency virus insurance programs; and amending RCW 70.24.440.

Referred to Committee on Appropriations.

HB 1647 by Representatives Locke, Jones, Rasmussen, Bowman and Wynne; by request of Department of Community Development and Office of Financial Management

AN ACT Relating to the public works board; creating new sections; making an appropriation; and providing an expiration date.

Referred to Committees on Trade & Economic Development/ Capital Facilities & Financing.

HB 1648 by Representative G. Fisher; by request of Parks and Recreation Commission and Office of Financial Management

AN ACT Relating to funding of boating programs; and amending RCW 88.36.100.

Referred to Committee on Natural Resources & Parks.

HB 1649 by Representative Rust; by request of Department of Ecology and Office of Financial Management

AN ACT Relating to municipal water discharge permit fees; and amending RCW 90.48.465.

Referred to Committee on Environmental Affairs.

HB 1650 by Representatives Wilson, Haugen, Brough and R. Johnson

AN ACT Relating to utilities; adding a new section to chapter 35.92 RCW; adding a new section to chapter 54.16 RCW; adding a new section to chapter 80.28 RCW; and creating a new section.

Referred to Committee on Energy & Utilities.

HB 1651 by Representatives Franklin, Edmondson, Haugen, Ferguson, Valle and Wood

AN ACT Relating to public hospital districts; and amending RCW 70.44.060.

Referred to Committee on Local Government.

HB 1652 by Representatives Braddock, Holland, Ebersole, Wilson, Dorn, Lisk, Appelwick, Brumsickle, R. King, Kremen, Prince, Bowman and Day

AN ACT Relating to video reproduction games; amending RCW 9.46.0311, 9.46.0325, 9.46.070, and 9.46.110; reenacting and amending RCW 9.46.230; and adding new sections to chapter 9.46 RCW.

Referred to Committees on Commerce & Labor/Revenue.

HB 1653 by Representatives Pruitt, Peery and Dellwo

AN ACT Relating to partners in education; and adding a new chapter to Title 49 RCW.

Referred to Committee on Commerce & Labor.

HB 1654 by Representatives Rust and Horn

AN ACT Relating to the authority of cities and towns with sewer systems extending beyond their limits to compel county residents to hook up to the system; and amending RCW 35.21.210 and 35A.21.150.

Referred to Committee on Environmental Affairs.

HB 1655 by Representatives Heavey, Winsley, D. Sommers, Orr, Moyer, Cole, Wood, Jones, Tate, Kremen, Miller, Riley, Phillips, Belcher, R. Johnson, Sheldon, Dellwo, Zellinsky, Cooper, H. Myers, O'Brien, Morris, Prentice, Basich, Anderson, Spanel, Day, Franklin, Peery, Leonard, Cantwell, Ogden, G. Fisher, Grant, Dorn, Hargrove, Rayburn, Ludwig, R. Fisher, Nelson, Holland, P. Johnson, Rasmussen, Van Luven, Fraser, Bowman and Pruitt

AN ACT Relating to state employees; amending RCW 34.05.030, 41.04.230, 41.06.070, 41.06.110, 41.06.150, 41.06.170, 4.24.490, 28B.10.824, 28B.10.650,

28B.12.060, 28B.15.558, 28B.50.060, 28B.80.350, 28B.80.430, 28C.15.020, 34.12.020, 41.04.340, 41.04.670, 41.06.079, 41.06.155, 41.06.160, 41.06.163, 41.48.140, 41.60.015, 42.17.2401, 41.60.160, 42.40.020, 43.06.410, 43.06.425, 43.23.010, 43.88.280, 43.105.052, 49.46.010, 49.74.020, 49.74.030, 49.74.040, 50.13.060, 51.32.300, and 70.24.300; reenacting and amending RCW 41.06.020; adding new sections to chapter 41.06 RCW; adding a new section to chapter 41.05 RCW; adding a new chapter to Title 41 RCW; creating new sections; repealing RCW 28B.16.010, 28B.16.020, 28B.16.030, 28B.16.040, 28B.16.041, 28B.16.042, 28B.16.060, 28B.16.070, 28B.16.080, 28B.16.090, 28B.16.100, 28B.16.101, 28B.16.105, 28B.16.110, 28B.16.112, 28B.16.113, 28B.16.116, 28B.16.120, 28B.16.130, 28B.16.140, 28B.16.150, 28B.16.160, 28B.16.170, 28B.16.180, 28B.16.190, 28B.16.200, 28B.16.210, 28B.16.220, 28B.16.230, 28B.16.240, 28B.16.255, 28B.16.265, 28B.16.275, 28B.16.900, 28B.16.910, 28B.16.920, 28B.16.930, 41.64.010, 41.64.020, 41.64.030, 41.64.040, 41.64.050, 41.64.060, 41.64.070, 41.64.080, 41.64.090, 41.64.100, 41.64.110, 41.64.120, 41.64.130, 41.64.140, 41.64.900, 41.64.910, 41.06.230, 41.06.310, and 41.06.340; and providing effective dates.

Referred to Committees on Commerce & Labor/Appropriations.

**HB 1656** by Representatives Nelson, Leonard, R. Fisher, Cole, Brekke, Jacobsen, Spanel, Heavey and Orr

AN ACT Relating to beverage container recycling; adding a new chapter to Title 19 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environmental Affairs.

**HB 1657** by Representatives Locke, Holland, Phillips, Peery, Ebersole, Zellinsky, Pruitt, Van Luven, R. Meyers, Ferguson, Forner, Jacobsen, Cole, Valle, Roland, Dom, Appelwick, Nelson, Heavey, Wang, Rasmussen, O'Brien, R. Johnson and Anderson

AN ACT Relating to education fiscal matters; amending RCW 28A.150.250, 28A.150.260, and 28A.500.010; reenacting and amending RCW 28A.400.200; adding a new section to chapter 28A.150 RCW; creating new sections; repealing RCW 28A.150.410 and 84.52.0531; providing an effective date; and declaring an emergency.

Referred to Committees on Education/Appropriations.

**HB 1658** by Representatives Peery, Prentice, Holland, Franklin, Cole, Anderson, Nelson, Rasmussen, Winsley and Orr

AN ACT Relating to school nurses; adding a new section to chapter 28A.210 RCW; creating new sections; making an appropriation; and providing an expiration date.

Referred to Committees on Education/Appropriations.

**HB 1659** by Representatives Jacobsen and R. Fisher

AN ACT Relating to computer-based geographic information; creating new sections; making an appropriation; and providing an expiration date

Referred to Committees on State Government/Appropriations.

HB 1660 by Representatives Wilson, Haugen, Schmidt, Van Luven, Broback, Horn, May, Paris, Holland, Padden, Lisk, Chandler, P. Johnson, Morton, Forner, Wynne, Winsley, Kremen, Bowman and Tate

AN ACT Relating to state government; amending RCW 34.05.320; and adding new sections to chapter 34.05 RCW.

Referred to Committee on State Government.

HB 1661 by Representatives Wilson, Haugen, May, Grant, McLean, Moyer, Chandler, Bowman, Day, Brough, Miller, Wynne and Broback

AN ACT Relating to signature requirements for initiatives and referendums; and amending RCW 29.79.120.

Referred to Committee on State Government.

HB 1662 by Representatives Wilson, Haugen and May

AN ACT Relating to higher education; adding a new section to chapter 28B.20 RCW; adding a new section to chapter 28B.30 RCW; adding a new section to chapter 28B.35 RCW; adding a new section to chapter 28B.40 RCW; adding a new section to chapter 28B.50 RCW; adding a new chapter to Title 28B RCW; creating new sections; repealing RCW 28B.50.050, 28B.50.055, 28B.50.060, 28B.50.070, 28B.50.080, 28B.50.085, 28B.20.130, 28B.20.135, 28B.20.140, 28B.20.145, 28B.30.150, 28B.35.120, 28B.40.120, and 28B.50.140; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

HB 1663 by Representatives Belcher, Fraser, Scott, G. Fisher, Cole, R. Johnson, Brumsickle, Mielke, Bowman, Ferguson, Rasmussen, Winsley and Anderson

AN ACT Relating to community support for education; amending 1990 c 290 s 2 (uncodified); adding a new section to chapter 27.04 RCW; and repealing 1990 c 290 s 3 (uncodified).

Referred to Committee on Education.

HB 1664 by Representatives Belcher, Brumsickle, Ferguson, Fraser, Scott, G. Fisher, Cole, R. Johnson, Mielke, Bowman, Winsley and Anderson

AN ACT Relating to education; amending RCW 28A.05.060 and 28B.80.350; and reenacting and amending RCW 28A.70.005.

Referred to Committee on Education.

HB 1665 by Representatives Belcher, Fraser, Locke, Brumsickle, Bowman, O'Brien and Winsley

AN ACT Relating to health care benefits for retired and disabled state, local government, and common school employees; amending RCW 41.05.080 and 41.05.080; creating new sections; and providing an effective date.

Referred to Committee on Health Care.

HB 1666 by Representatives Spanel, Belcher, Appelwick, Forner, Jacobsen, Brough, Locke, Wineberry, Scott, Winsley and Broback

AN ACT Relating to domestic relations; amending RCW 26.09.080, 26.09.090, and 26.09.170; and creating a new section.

Referred to Committee on Judiciary.

HB 1667 by Representatives Jacobsen, Wood, Ogden, Orr, Appelwick, Sprenkle, Morris, Dellwo, Valle, May, Ludwig, Heavey, Fraser, Pruitt and Anderson

AN ACT Relating to financial aid; amending RCW 28B.15.065, 28B.102.020, 28B.102.050, and 28B.101.040; adding a new chapter to Title 28B RCW; creating a new section; and making appropriations.

Referred to Committees on Higher Education/Appropriations.

HJM 4005 by Representatives Bray, Edmondson, Ludwig, Lisk, Rayburn, Grant, Orr, Neher, Nealey, Riley, Prince, Inslee and Hochstatter

Requesting Congress to create a HAMMER training center at Hanford.

Referred to Committee on Energy & Utilities.

HJR 4216 by Representatives Franklin, Edmondson, Haugen, Ferguson, Valle, Wood and Day

Amending the Constitution to permit municipalities and state agencies to employ chaplains.

Referred to Committee on Local Government.

HJR 4217 by Representatives Wilson, Haugen, May, Grant, McLean, Moyer, Chandler, Bowman and Wynne

Providing for an amendment to Article II of the Washington State Constitution.

Referred to Committee on State Government.

HCR 4408 by Representatives Hine, Prince and Day

Establishing the "Legislative Old Timers" Reunion.

#### MOTION

On motion of Mr. Dorn, the bills, memorial and resolutions listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

#### REPORTS OF STANDING COMMITTEES

February 1, 1991

HB 1040 Prime Sponsor, Representative Rayburn: Authorizing municipal utilities to reimburse the city or town for management services.

Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Excused: Representatives Nelson and Wood.

Passed to Committee on Rules for second reading.

January 31, 1991

HB 1051 Prime Sponsor, Representative Fraser: Requiring international student exchange visitor placement organizations to be registered.  
Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute House Bill No. 1051 be substituted therefor, and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Basich; Dellwo; Fraser; Ludwig; Miller; Prince; Sheldon; Spanel; and Van Luven.

Referred to Committee on Appropriations.

February 1, 1991

HB 1137 Prime Sponsor, Representative Haugen: Clarifying "criminal justice purposes: for local government criminal justice assistance. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1137 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Passed to Committee on Rules for second reading.

February 1, 1991

HB 1142 Prime Sponsor, Representative Rasmussen: Redefining the agricultural products for which processor liens may be established. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: That Substitute House Bill No. 1142 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Minority Member; P. Johnson, Assistant Ranking Minority Member; Chandler; Grant; R. Johnson; Lisk; McLean; Rasmussen; and Roland.

Passed to Committee on Rules for second reading.

February 1, 1991

HB 1261 Prime Sponsor, Representative Rayburn: Altering recordkeeping requirements for pesticides. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: That Substitute House Bill No. 1261 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Minority Member; P. Johnson, Assistant Ranking Minority Member; Chandler; Grant; R. Johnson; Lisk; McLean; Rasmussen; and Roland.

Passed to Committee on Rules for second reading.

January 30, 1991

HB 1327 Prime Sponsor, Representative Anderson: Revising sunset review responsibilities of the legislative budget committee. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments: Beginning on page 1, line -8, after "chapter" strike all material through "year" on page 2, line 6 and insert "~~((, modifying this schedule to insure the effective operation of this chapter, and performing other duties necessary for the implementation of this~~

~~chapter. The committee shall continue to be responsible for the development of legislation which provides for the termination of state agencies as needed in a manner consistent with the terms of this chapter and of RCW 43.06.010 as now or hereafter amended). The legislative budget committee shall have the responsibility to recommend legislation providing for the termination of state agencies, or modification of the schedule of agencies to be reviewed, in a manner consistent with the terms of this chapter"~~

On page 5, line 27, after "RCW" strike "43.13.118" and insert "43.131.118"

Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Excused: Representative O'Brien.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Dorn, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

#### MOTIONS

On motion of Mr. Dorn, House Bill No. 1346 was referred from Committee on Financial Institutions & Insurance to Committee on Judiciary.

On motion of Mr. Dorn, House Bill No. 1503 was referred from Committee on Transportation to Committee on Judiciary.

On motion of Mr. Dorn, House Bill No. 1517 was referred from Committee on Natural Resources & Parks to Committee on Environmental Affairs.

On motion of Mr. Dorn, House Bill No. 1535 was referred from Committee on Environmental Affairs to Committee on Energy & Utilities.

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

#### MOTION

On motion of Mr. Dorn, the House adjourned until 10:00 a.m., Wednesday, February 6, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

## TWENTY-FOURTH DAY

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## MORNING SESSION

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House Chamber, Olympia, Wednesday, February 6, 1991

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Appelwick, Morris and Wineberry. On motion of Mr. Orr, Representatives Appelwick and Wineberry were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Matt Golden and Julie Bonin. Prayer was offered by Chaplain Major Richard Bearden, I Corps, Fort Lewis.

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

## MESSAGE FROM THE SENATE

February 4, 1991

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4403,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

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

## RESOLUTION

HOUSE RESOLUTION NO. 91-4607, by Representatives Brumsickle, Bowman, Basich, Belcher, Fraser, Rasmussen, Sheldon, Tate, P. Johnson and Dorn.

WHEREAS, The Tumwater T-Birds are the 1990 State "AA" Boys Football Champions for the third time in four years; and

WHEREAS, This record could only be achieved with the cooperation of the coach, staff, district, community, and the students; and

WHEREAS, The teamwork between the members and coaching staff has resulted in marvelous success; and

WHEREAS, Such an enviable record is only earned by a team of young persons possessing strong feelings of self-worth and self-esteem; and

WHEREAS, This legend of the future is the result of a positive attitude and team trust; and

WHEREAS, The excellent tradition of continual success is a feather in the cap of every member of the student body; and

WHEREAS, The shared pride in the school's ability to be a leader is conducive to group and individual self values; and

WHEREAS, Each and every member of the sixty-five-man team played a key role in the march to victory;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor the Tumwater T-Birds Boys Football Team for their well-earned championship and for their contribution to the enthusiastic spirit of the whole student body; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Captain of the Tumwater T-Birds Boys Football Team, the head coach, the principal, and the student body president.

Mr. Brumsickle moved adoption of the resolution. Representatives Brumsickle, Bowman and Basich spoke in favor of adoption of the resolution.

House Resolution No. 91-4607 was adopted.

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

## INTRODUCTIONS AND FIRST READING

HB 1668 by Representatives Haugen, R. Meyers, Jacobsen, Heavey, Roland, Ferguson, Hine, O'Brien, Rust, Paris, Scott, Fraser and Wineberry

AN ACT Relating to growth strategies; amending RCW 36.70A.010, 36.70A.030, 36.70A.020, 36.70A.040, 36.70A.070, 36.70A.080, 36.70A.110, 82.02.050, 19.27.095, 58.17.033, 36.70A.190, and 36.93.180; adding a new section to chapter 35.02 RCW; adding a new section to chapter 36.93 RCW; and adding new sections to chapter 36.70A RCW.

Referred to Committees on Local Government/Appropriations.

HB 1669 by Representatives Cantwell, R. Meyers, Jacobsen, Heavey, Roland, Ferguson, Hine, O'Brien, Rust, Betrozoff, Paris, Scott, Fraser and Wineberry

AN ACT Relating to growth strategies; amending RCW 36.70A.030, 36.70A.020, 36.70A.070, 43.88.110, 36.70A.080, 82.44.150, and 66.08.190; adding a new section to chapter 43.63A RCW; adding new sections to chapter 36.70A RCW; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.14 RCW.

Referred to Committees on Trade & Economic Development/  
Appropriations.

HB 1670 by Representatives Belcher, R. Meyers, Jacobsen, Heavey, Roland, Ferguson, Hine, O'Brien, Rust, Paris, Scott, Fraser and Wineberry

AN ACT Relating to growth strategies; amending RCW 36.70A.030, 36.70A.020, 36.70A.070, 36.70A.170, 36.70A.060, and 36.70A.050; adding a new section to chapter 43.99 RCW; adding new sections to chapter 36.70A RCW; and creating a new section.

Referred to Committees on Natural Resources & Parks/ Appropriations.

HB 1671 by Representatives R. Fisher, Riley, R. Meyers, Jacobsen, Heavey, Roland, Hine, O'Brien, Rust, Betzoff, Paris, Scott, Fraser and Wineberry

AN ACT Relating to growth strategies; amending RCW 36.70A.030, 36.70A.020, and 36.70A.070; and creating a new section.

Referred to Committees on Transportation/Appropriations.

HB 1672 by Representatives Nelson, R. Meyers, Jacobsen, Heavey, Roland, Ferguson, Hine, O'Brien, Ogden, Rust, Paris, Fraser and Wineberry

AN ACT Relating to growth strategies; amending RCW 36.70A.030, 36.70A.020, and 36.70A.070; and creating a new section.

Referred to Committees on Housing/Appropriations.

HB 1673 by Representatives Rust, Pruitt, R. Meyers, Jacobsen, Heavey, Roland, Phillips, Hine, Paris, Fraser and Wineberry

AN ACT Relating to growth strategies; amending RCW 36.70A.030, 36.70A.020, 36.70A.070, and 82.02.050; and creating a new section.

Referred to Committees on Environmental Affairs/Appropriations.

HB 1674 by Representatives Orr, Spanel, Locke, Jacobsen, Heavey, Wineberry, Dorn, Hargrove, Morris, Riley, Basich, Rayburn, Grant, Anderson, Leonard, Sheldon, Cantwell, Jones, Nelson, Rasmussen, Dellwo, R. King, Roland, Zellinsky, R. Fisher, Winsley, Holland, O'Brien, Prentice, Pruitt, Ogden, Miller, Paris, Ebersole, Mitchell, Kremen, Scott, H. Myers and Inslee

AN ACT Relating to freezing tuition and fees at 1990 rates for Persian Gulf veterans; adding a new section to chapter 28B.15 RCW; creating a new section; and providing an expiration date.

Referred to Committees on Higher Education/Appropriations.

HB 1675 by Representatives Inslee, Riley, R. Meyers, Roland, Winsley, Ludwig, Orr, H. Myers and Wineberry

AN ACT Relating to civil docket priority for parties over seventy years of age or who are terminally ill; adding a new section to chapter 4.44 RCW; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1676 by Representatives Inslee, Riley, R. Meyers, Roland, Winsley, Ludwig, Orr, H. Myers and Wineberry

AN ACT Relating to civil docket priority for parties over seventy years of age or who are terminally ill; adding a new section to chapter 4.44 RCW; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1676 by Representatives Inslee, Winsley, R. Meyers, Dorn, Dellwo, Zellinsky, Jacobsen, Rasmussen and Sheldon

AN ACT Relating to punitive damages for wrongful death or personal injuries caused while driving under the influence of alcohol or drugs; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Judiciary.

HB 1677 by Representatives Cooper, R. Fisher, Peery, Ogden, H. Myers, Morris, Jacobsen and Winsley

AN ACT Relating to high capacity transportation funding and planning; and amending RCW 35.58.273, 81.104.030, 81.104.110, 81.104.140, and 82.44.150.

Referred to Committee on Transportation.

HB 1678 by Representatives Anderson, Leonard, Prince, Wang, Ferguson, Locke, R. King, R. Johnson, Jacobsen, Holland, Brekke, Spanel, Fraser, Morris and Wineberry

AN ACT Relating to the availability of psychologists' services to medical assistance recipients; reenacting and amending RCW 74.09.520; providing an effective date; and declaring an emergency.

Referred to Committee on Health Care.

HB 1679 by Representatives Orr, Ferguson, R. Meyers, R. Fisher, Jones, Anderson, Wilson, Hochstatter, Dorn, Winsley, Rasmussen, Paris and Mitchell

AN ACT Relating to funding the fire services trust fund; amending RCW 48.14.020; adding new sections to chapter 43.63A RCW; and creating new sections.

Referred to Committees on Financial Institutions & Insurance/ Revenue.

HB 1680 by Representatives Cole, Jones, Winsley, Belcher, Dorn, Sheldon, Hine, Morris, Fraser, Ludwig, Pruitt, Jacobsen, Franklin, Roland, R. Fisher, Prentice, Ebersole, Scott and Wineberry

AN ACT Relating to employees using video display terminals; and amending RCW 49.17.050.

Referred to Committee on Commerce & Labor.

HB 1681 by Representatives Cooper, Ferguson, Haugen, Horn and R. Meyers

AN ACT Relating to bidding practices of municipalities; amending RCW 28A.335.190, 35.22.620, 35.23.352, 36.32.240, 36.34.020, 39.08.030, 52.14.110, 53.08.120, 54.04.082, 56.08.070, 56.08.080, 56.08.090, 57.08.015, 57.08.016, 57.08.050, and 70.44.140; reenacting and amending RCW 36.32.250; adding new sections to chapter 39.04 RCW; adding a new section to chapter 39.30 RCW; adding new sections to chapter 36.32 RCW; adding a new section to chapter 36.77 RCW; and repealing RCW 36.32.271, 36.32.273, 36.32.275, 36.32.277, and 36.82.130.

Referred to Committee on Local Government.

HB 1682 by Representatives Phillips, Wineberry, Locke, Leonard, Franklin, Prentice, Heavey, O'Brien, Cole, Valle, Scott, Sheldon and Anderson

AN ACT Relating to the sale of wine; amending RCW 66.04.010, 66.24.370, and 66.16.100; and adding new sections to chapter 66.24 RCW.

Referred to Committee on Commerce & Labor.

HB 1683 by Representatives Ludwig, Padden, Hargrove, Mielke, Paris, Orr and P. Johnson

AN ACT Relating to residential landlord-tenant duties; and adding a new section to chapter 59.18 RCW.

Referred to Committee on Housing.

HB 1684 by Representatives Hargrove, Basich, Morris, Sheldon, Riley, Bowman, Jones, Beck, G. Fisher, Brekke, Kremen, Peery, H.

Myers, P. Johnson, Dorn, Fuhrman, Wineberry, Jacobsen, Winsley and Rasmussen

AN ACT Relating to the state social and health services policy act; and adding a new chapter to Title 43 RCW.

Referred to Committees on State Government/Appropriations.

HB 1685 by Representatives Hargrove, Padden, Tate, Morris, Riley, Kremen, Dorn, Zellinsky, R. Meyers, Rayburn, Roland, Van Luven, Holland, Edmondson, Wynne, Brough, Rasmussen, Betzoff, Broback, Fuhrman, Moyer, Miller, May, Paris, Ebersole, Mitchell, D. Sommers, Chandler, Vance, Ballard, Scott, H. Myers, Inslee, Forner, Casada, Bowman and Sheldon

AN ACT Relating to inmates paying back incarceration costs of the department of corrections; adding new sections to chapter 72.02 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Human Services.

HB 1686 by Representatives Hargrove, Riley, Tate, Prentice, Padden, H. Myers, Kremen, Dorn, Morris, Jacobsen, Roland, Pruitt, Valle, Betzoff, Brekke, Paris, Scott, Inslee, Basich, Sheldon and Wineberry

AN ACT Relating to correctional industries; adding new sections to chapter 72.60 RCW; and creating a new section.

Referred to Committee on Human Services.

HB 1687 by Representatives Rayburn, McLean, Grant, Nealey, Rasmussen, Kremen, R. Johnson, Bray, Ballard, Orr and Inslee

AN ACT Relating to pesticide posting; amending RCW 49.70.117; and declaring an emergency.

Referred to Committee on Agriculture & Rural Development.

HB 1688 by Representatives Rayburn, McLean and Orr

AN ACT Relating to the registration of plant protection products for minor uses; adding new sections to chapter 15.58 RCW; making an appropriation; and providing an expiration date.

Referred to Committees on Agriculture & Rural Development/Appropriations.

HB 1689 by Representatives Ludwig, Padden, Sheldon, Forner, Riley, Inslee, R. Meyers, Kremen, Roland, Appelwick, Mielke, Holland, Betzoff, Moyer, Paris, Mitchell, McLean and Orr

AN ACT Relating to the limitation of actions brought by prisoners; and amending RCW 4.16.190.

Referred to Committee on Judiciary.

HB 1690 by Representatives Riley, Ludwig and Scott

AN ACT Relating to disposition and sentencing of juvenile offenders; amending RCW 13.40.020, 13.40.0354, and 13.40.0357; creating a new section; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1691 by Representatives Cole, Anderson, Winsley, Rust, Paris, Nelson, Basich, Haugen, Beck, Heavey, Valle, Morris, Wineberry, Jacobsen, Appelwick, H. Sommers, Scott, Brekke, Braddock, Franklin, Phillips and Wang

AN ACT Relating to animal trapping; amending RCW 77.12.040, 77.32.191, and 77.32.197; and adding a new section to chapter 77.12 RCW.

Referred to Committee on Fisheries & Wildlife.

HB 1692 by Representatives Padden, Hargrove, Morton, Hochstatter, Fuhrman, Broback, D. Sommers, Holland and Paris

AN ACT Relating to administrative searches; adding a new section to Title 4 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1693 by Representatives Wilson, Fuhrman, Van Luven, May, Hargrove, Betzoff, Broback, Miller, Paris, D. Sommers, Ballard, McLean, Orr, Nealey, P. Johnson, Brumsickle, Bowman, Sheldon and Morris

AN ACT Relating to compensation to landowners for economic loss due to shoreline management; adding a new chapter to Title 90 RCW; and declaring an emergency.

Referred to Committees on Judiciary/Appropriations.

HB 1694 by Representatives Wilson, Morton, Fuhrman, Van Luven, May, Hargrove, Betzoff, Broback, Miller, Paris, D. Sommers, Chandler, Ballard, McLean, Orr, Nealey, P. Johnson, Brumsickle, Bowman, Sheldon and Morris

AN ACT Relating to shoreline management; amending RCW 90.58.270 and 90.58.290; and providing for a submission of this act to a vote of the people.

Referred to Committees on Judiciary/Appropriations.

HB 1695 by Representatives Wilson, Morton, Forner, Fuhrman, Van Luven, Holland, May, Hargrove, Betzoff, Broback, Miller, Paris, D. Sommers, Chandler, Ballard, McLean, Orr, Nealey, P. Johnson, Brumsickle, Bowman, Sheldon and Morris

AN ACT Relating to compensation for government interference with private property rights; adding a new chapter to Title 64 RCW; and declaring an emergency.

Referred to Committees on Judiciary/Appropriations.

HB 1696 by Representatives Miller, Anderson, Mitchell, Nelson, Ballard, Leonard, Winsley, Franklin, Ferguson, Cole, Ogden, Wineberry, R. King, Betzoff, Brekke, Paris, Casada, Bowman and Fraser

AN ACT Relating to surplus property for affordable housing; amending RCW 43.63A.510, 36.34.135, 79.01.092, and 47.12.063; adding a new section to chapter 28A.335 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.34 RCW; and creating a new section.

Referred to Committee on Housing.

HB 1697 by Representatives Anderson, McLean, R. Fisher, Pruitt, Jones and Wineberry

AN ACT Relating to voting; and adding a new section to chapter 29.36 RCW.

Referred to Committee on State Government.

HB 1698 by Representatives R. Meyers, Wilson, Zellinsky and Riley

AN ACT Relating to the sentencing of marijuana growers and dealers; amending RCW 9.94A.320 and 69.50.401; creating a new section; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1699 by Representatives Anderson, McLean, Pruitt, Jacobsen, Heavey, Phillips, Wynne and Wineberry; by request of Public Disclosure Commission

AN ACT Relating to campaign finance reporting; and amending RCW 42.17.065, 42.17.080, 42.17.090, 42.17.095, 42.17.100, 42.17.105, 42.17.135, and 42.17.430.

Referred to Committee on State Government.

HB 1700 by Representatives Hochstatter, Hargrove, Fuhrman, Chandler, Padden, Morton, Beck, Riley and Paris

AN ACT Relating to parental notification for abortions; adding a new chapter to Title 70 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Health Care.

HB 1701 by Representatives Bowman, Rasmussen, Sprenkle, Prentice, Fuhrman, Sheldon, Moyer, Cooper, Tate, Grant, Beck, Rust, Braddock, Casada, Riley, Pruitt, R. Meyers, Jacobsen, Franklin, Winsley, Van Luven, Bray, Ogden, Paris, Mitchell, Orr, Inslee, Cantwell, Nealey, Wineberry and Dorn

AN ACT Relating to allowing additional enrollees to enroll in the Washington basic health plan; and amending RCW 70.47.020 and 70.47.060.

Referred to Committee on Health Care.

HB 1702 by Representatives Rasmussen, Prince, Jacobsen and Rayburn

AN ACT Relating to the beef commission; and amending RCW 16.67.040 and 16.67.050.

Referred to Committee on Agriculture & Rural Development.

HB 1703 by Representatives Cooper, Betrozoff and R. Johnson; by request of Department of Licensing

AN ACT Relating to licensing and registration of vehicles and vessels; amending RCW 46.01.270, 46.12.101, 46.16.220, 46.16.381, 46.16.390, 46.30.020, 46.61.582, 46.61.583, 46.70.023, 35.58.273, and 88.02.070; reenacting and amending RCW 88.02.030; and adding a new section to chapter 88.02 RCW.

Referred to Committee on Transportation.

HB 1704 by Representatives Cooper, Betrozoff and R. Johnson; by request of Department of Licensing

AN ACT Relating to motor vehicles; amending RCW 82.36.040, 82.36.120, 82.38.090, 82.38.170, 46.87.070, and 46.87.140; adding new sections to chapter 82.36 RCW; adding a new section to chapter 46.87 RCW; and adding a new section to chapter 82.42 RCW.

Referred to Committee on Transportation.

HB 1705 by Representatives Schmidt and Zellinsky; by request of Secretary of State

AN ACT Relating to municipal census data; and amending RCW 35.13.260 and 35A.14.700.

Referred to Committee on Local Government.

HB 1706 by Representatives Anderson, Sheldon, McLean and Broback; by request of Military Department

AN ACT Relating to technical corrections to the code governing the state militia; and amending RCW 38.04.010, 38.12.200, 38.16.030, 38.24.010, 38.38.132, 38.38.260, 38.38.404, 38.38.564, 38.40.110, 38.44.020, 38.44.030, 38.44.040, 38.44.050, and 38.44.060.

Referred to Committee on State Government.

HB 1707 by Representatives Anderson, Sheldon, McLean, R. King, Jacobsen, Broback and Wineberry; by request of Military Department

AN ACT Relating to the Washington state defense force; and amending RCW 38.04.010, 38.04.030, 38.12.095, 38.12.125, 38.12.170, 38.12.180, 38.14.006, 38.14.012, 38.14.018, 38.14.024, 38.14.030, 38.14.036, 38.16.015, 38.16.040, and 38.16.050.

Referred to Committee on State Government.

HB 1708 by Representatives Cantwell, Forner, Sheldon, Jacobsen, Pruitt and Wineberry; by request of Department of Community Development

AN ACT Relating to employee cooperative corporations; and amending RCW 23.78.060.

Referred to Committee on Judiciary.

HB 1709 by Representatives Fraser, Miller, Rust, Valle, Roland, Winsley, Rasmussen, Ebersole, Wineberry and Dorn; by request of Department of Health

AN ACT Relating to public water system operating permits; amending RCW 70.119A.030 and 70.119A.060; adding new sections to chapter 70.119A RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Environmental Affairs.

HB 1710 by Representatives Miller, Fraser, Rust, Valle, Roland, Winsley and Dorn; by request of Department of Health

AN ACT Relating to water systems operator certification and registration; and amending RCW 70.119.010, 70.119.020, 70.119.030, 70.119.060, 70.119.090, 70.119.100, 70.119.110, and 70.119.130.

Referred to Committee on Environmental Affairs.

HB 1711 by Representatives Ebersole, Miller, Anderson, McLean, Pruitt, R. Fisher, Sheldon, Chandler, Moyer, R. King, Phillips, Winsley, Holland, Edmondson, Hine, Wynne, Jones, Valle, Brough, Rasmussen, Betrozoff, Broback, May, Paris, Mitchell, D. Sommers, Vance, Wood, Orr, Morton, H. Myers, Former, Nealey, P. Johnson, Tate, Hochstatter, Bowman, Basich, Nelson, Horn and Wineberry; by request of Secretary of State

AN ACT Relating to election administration; adding new sections to chapter 29.04 RCW; adding a new section to chapter 36.22 RCW; adding new sections to chapter 43.07 RCW; and providing effective dates.

Referred to Committee on State Government.

HB 1712 by Representatives Heavey, Lisk, Cole, Fuhrman, Wood, Betrozoff, Jacobsen, R. Meyers, Phillips, Winsley, Ferguson, Orr and Wineberry

AN ACT Relating to the registration of athlete agents; adding a new chapter to Title 18 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 1713 by Representatives Heavey, Fuhrman, Cole, Betrozoff and Jacobsen

AN ACT Relating to department of transportation contracts for the repair or improvement of ferries; and adding a new section to chapter 47.60 RCW.

Referred to Committee on Transportation.

HB 1714 by Representatives Riley, Beck, Leonard, Winsley, Anderson, R. King, Hargrove, H. Myers, Jacobsen, Franklin, Roland, Zellinsky, Phillips, Jones, Rasmussen, Paris, Orr, Inslee, Basich, Sheldon, Morris and Wineberry

AN ACT Relating to family support centers; adding a new section to chapter 43.121 RCW; creating a new section; and making an appropriation.

Referred to Committees on Human Services/Appropriations.

HB 1715 by Representatives Rasmussen, Brumsickle, Haugen, Bowman, Dorn, Paris and Sheldon

AN ACT Relating to nonpartisan sheriffs; amending RCW 29.18.010, 29.21.010, 29.21.015, and 29.21.070; and providing an effective date.

Referred to Committee on State Government.

HB 1716 by Representatives Wood, Haugen, Ferguson, Cooper, Zellinsky, Miller, Franklin, Beck, Bray, Edmondson, Horn, Wynne, Rayburn, Nealey, Roland, Mitchell, Winsley and Paris

AN ACT Relating to county recording procedures; amending RCW 36.18.010, 65.04.030, 65.04.040, and 65.04.050; adding a new section to chapter 36.18 RCW; and adding a new section to chapter 65.04 RCW.

Referred to Committee on Local Government.

HB 1717 by Representatives Mielke, Day, Tate, Dellwo, Moyer, Belcher, Wood, Padden, Zellinsky, Bowman, Paris, Morton, Anderson, Holland, Broback, Ferguson, Ballard, P. Johnson, Brumsickle, Betrozoff, Chandler, Fuhrman, Nealey, Casada, D. Sommers, Forner, Horn, Wineberry, Scott, Wang, Van Luven, Winsley, Wynne, Brough, Miller, May and Mitchell

AN ACT Relating to mortgage insurance; amending RCW 19.148.020 and 19.148.030; and adding a new section to chapter 19.148 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1718 by Representatives Mielke, Day, Bowman, Anderson, Moyer, Sheldon, Miller, Paris, Mitchell, D. Sommers, Chandler and Brumsickle

AN ACT Relating to retirement system benefit overpayments; and amending RCW 41.50.130.

Referred to Committee on Appropriations.

HB 1719 by Representatives Mielke, Riley, Chandler, Ludwig, Tate, Padden, Hargrove, Bowman, Zellinsky, P. Johnson, Sheldon, Orr, Broback, Forner, D. Sommers, Van Luven, Vance, Betrozoff, Fuhrman, May, Paris, Mitchell, Ballard, McLean, Nealey, Brumsickle, Hochstatter, Horn and Silver

AN ACT Relating to establishing an exclusionary rule for the suppression of evidence; and adding a new chapter to Title 10 RCW.

Referred to Committee on Judiciary.

HB 1720 by Representatives R. Meyers, May, Scott, Ballard, Anderson, Broback, Mielke, Winsley, Paris and Mitchell

AN ACT Relating to retail heating oil dealers; and adding a new chapter to Title 43 RCW.

Referred to Committees on Financial Institutions & Insurance/ Revenue.

HB 1721 by Representatives May and Locke

AN ACT Relating to refunding contributions to the judicial retirement system; adding a new section to chapter 2.10 RCW; and adding a new section to chapter 2.12 RCW.

Referred to Committee on Appropriations.

HB 1722 by Representatives Spanel, Jacobsen, Wood, Valle, Rasmussen, Wang and Miller; by request of Higher Education Coordinating Board

AN ACT Relating to graduate school fellowships; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education.

HB 1723 by Representatives Ogden, Jacobsen, Wood, Spanel, Zellinsky, R. King, Roland, H. Myers and Fraser; by request of Higher Education Coordinating Board

AN ACT Relating to the Washington fund for excellence in higher education program; adding a new chapter to Title 28B RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1724 by Representatives Rasmussen, Moyer, Riley, Brumsickle, Ferguson, Jacobsen, Orr, Rayburn, Sheldon, Morris, Silver, Zellinsky, Heavey, Roland, Brough, Broback, Paris, Ludwig, Kremen and Nealey

AN ACT Relating to driving while under the influence of liquor or drugs; and amending RCW 46.20.308, 46.61.506, 46.61.508, and 46.61.517.

Referred to Committee on Judiciary.

HCR 4408 by Representatives Hine, Prince and Day

Establishing the "Legislative Old Timers" Reunion.

Held on First Reading from 2/5/91.

MOTION

On motion of Mr. Dorn, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

REPORTS OF STANDING COMMITTEES

February 4, 1991

HB 1176 Prime Sponsor, Representative Leonard: Specifying timing and voting on filling school board vacancies. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Betrozoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; and H. Sommers.

Passed to Committee on Rules for second reading.

February 1, 1991

HB 1204 Prime Sponsor, Representative Riley: Changing provisions relating to natural resources conservation areas. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute House Bill No. 1204 be substituted therefor, and the substitute bill do pass. Signed by Representatives Belcher, Chair; Scott, Vice Chair; Beck, Ranking Minority Member; Brumsickle, Assistant Ranking Minority Member; Dellwo; Fraser; Hargrove; Riley; Sheldon; and Wynne.

MINORITY recommendation: Without recommendation. Signed by Representative Morton.

Referred to Committee on Revenue.

February 4, 1991

HB 1221 Prime Sponsor, Representative Peery: Permitting compensation of school directors' association directors. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betrozoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Passed to Committee on Rules for second reading.

February 4, 1991

HB 1264 Prime Sponsor, Representative Peery: Making technical changes to the education code. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betzoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; and H. Sommers.

Passed to Committee on Rules for second reading.

February 1, 1991

HB 1267 Prime Sponsor, Representative Holland: Authorizing the board of natural resources to reconvey lands leased to counties used for sanitary landfills. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; Scott, Vice Chair; Beck, Ranking Minority Member; Brumsickle, Assistant Ranking Minority Member; Dellwo; Fraser; Hargrove; Morton; Riley; and Wynne.

MINORITY recommendation: Without recommendation. Signed by Representative Sheldon.

Passed to Committee on Rules for second reading.

February 4, 1991

HB 1271 Prime Sponsor, Representative R. Fisher: Modifying railroad crossing inspection fees. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betzoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Brough; Cantwell; Cooper; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representatives Basich; Day; Haugen; Horn; Jones; Kremen; and Nelson.

Passed to Committee on Rules for second reading.

February 4, 1991

HB 1272 Prime Sponsor, Representative R. Fisher: Changing the limits on liability of common carriers for damage or loss of baggage. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Brough; Cantwell; Cooper; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representatives Basich; Day; Haugen; Horn; Kremen; and Nelson.

Passed to Committee on Rules for second reading.

February 4, 1991

HB 1273 Prime Sponsor, Representative R. Johnson: Requiring motor carriers to submit copies of contracts with permit applications. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Brough; Cantwell; Cooper; G. Fisher; Forner; Haugen; Heavey; Horn; R. Johnson; Jones; Kremen; Mitchell; Orr; Prentice; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representatives Basich; Day; Haugen; Horn; Kremen; and Nelson.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Dorn, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

#### RESOLUTION

HOUSE RESOLUTION NO. 91-4616, by Representatives Rasmussen and Haugen

WHEREAS, Washington's dairy industry is a major contributor to the economic health and physical well-being of the State and its people; and

WHEREAS, Milk is now the highest valued agricultural commodity in Washington State; and

WHEREAS, The dairy industry's importance to the State is being formally recognized as Dairy Day on February 6, 1991; and

WHEREAS, Christine Schultz, a 1988 graduate of Yelm High School, is proudly representing Washington dairy farmers as the reigning State Dairy Princess; and

WHEREAS, Ms. Schultz is serving an eleven-month internship with the Washington State Dairy Products Commission; and

WHEREAS, The Oak Harbor family of Ryan and Jane, Dick and Cathy, and Hap and Karen Fakkema has been honored as the 1991 Washington State Dairy Family of the Year and the winner of the Dairy Federation's Ecology and Conservation Award; and

WHEREAS, Ryan and Jane Fakkema, now joined by sons Dick and Hap and their families, have worked their dairy farm in Oak Harbor for the past thirty-five years;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives does hereby formally acknowledge and honor the entire Washington dairy industry, and the House specifically pays tribute to Dairy Princess Christine Schultz and the Fakkemas, Washington's 1991 Dairy Family of the Year; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Christine Schultz and to the Fakkema family.

Ms. Rasmussen moved adoption of the resolution. Representatives Rasmussen, Haugen, Kremen and Basich spoke in favor of the resolution.

House Resolution No. 91-4616 was adopted.

#### SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced the 1991 Washington Dairy Family, the Fakkema family of Oak Harbor--Mr. and Mrs. Ryan Fakkema, their son Dick and his wife Cathy, and their son Hap and his wife Karen.

The Speaker (Mr. O'Brien presiding) then introduced Washington Dairy Princess Christine Shultz and Alternate Dairy Princess Kendra Felt. Princess Christine briefly addressed the members of the House of Representatives.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease. The Speaker called the House to order.

Representative Morris appeared at the bar of the House.

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

## SECOND READING

HOUSE BILL NO. 1298, by Representatives Wang, Holland, Nelson, Phillips, Fraser, Brumsickle, Rust, Ballard, Leonard, Horn, Haugen, May, Heavey, Ferguson, Jacobsen, O'Brien, Morris, Winsley, Appelwick, H. Sommers, Dorn, Belcher, Van Luven, Morton, Locke, Brekke, Pruitt, Spanel, Wineberry, Kremen, Cooper, Betrozoff, Jones, Franklin, Dellwo, H. Myers, Ogden, Bray, Cole, Roland, Basich, Scott and Anderson

Providing property tax exemptions for low-income homeowners.

The bill was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang, Holland, Phillips and Nelson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1298, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Appelwick, Wineberry - 02.

House Bill No. 1298, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1313, by Representatives Fraser, Brumsickle, Phillips, Jones and Scott

Modifying qualifications for senior citizen property tax relief.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1313 was substituted for House Bill No. 1313, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1313 was read the second time.

Mr. Holland moved adoption of the following amendment by Representatives Holland, Miller, Ballard, Wilson and May:

On page 3, beginning on line 3, strike everything through line 18 and insert:

(5) (a) A person who otherwise qualifies under this section and has a combined disposable income of (~~eighteen~~) thirty thousand dollars or less shall be exempt from all excess property taxes; and

(b) (i) A person who otherwise qualifies under this section and has a combined disposable income of (~~fourteen~~) eighteen thousand dollars or less but greater than (~~twelve~~) fifteen thousand dollars shall be exempt from all regular property taxes on the greater of (~~twenty-four~~) thirty thousand dollars or thirty percent of the valuation of his or her residence, but not to exceed (~~forty~~) fifty thousand dollars of the valuation of his or her residence; or

(ii) A person who otherwise qualifies under this section and has a combined disposable income of (~~twelve~~) fifteen thousand dollars or less shall be exempt from all regular property taxes on the greater of (~~twenty-eight~~) thirty-four thousand dollars or fifty percent of the valuation of his or her residence.

Sec. 2. RCW 84.36.383 and 1989 c 379 s 6 are each amended to read as follows:

As used in RCW 84.36.381 through 84.36.389, except where the context clearly indicates a different meaning:

(1) The term "residence" shall mean a single family dwelling unit whether such unit be separate or part of a multiunit dwelling, including the land on which such dwelling stands not to exceed one acre. The term shall also include a share ownership in a cooperative housing association, corporation, or partnership if the person claiming exemption can establish that his or her share represents the specific unit or portion of such structure in which he or she resides. The term shall also include a single family dwelling situated upon lands the fee of which is vested in the United States or any instrumentality thereof including an Indian tribe or in the state of Washington, and notwithstanding the provisions of RCW 84.04.080, 84.04.090 or 84.40.250, such a residence shall be deemed real property.

(2) The term "real property" shall also include a mobile home which has substantially lost its identity as a mobile unit by virtue of its being fixed in location upon land owned or leased by the owner of the mobile home and placed on a foundation (posts or blocks) with fixed pipe, connections with sewer, water, or other utilities: PROVIDED, That a mobile home located on land leased by the owner of the mobile home shall be subject, for tax billing, payment, and collection purposes, only to the personal property provisions of chapter 84.56 RCW and RCW 84.60.040.

(3) The term "preceding calendar year" shall mean the calendar year preceding the year in which the claim for exemption is to be made.

(4) "Department" shall mean the state department of revenue.

(5) "Combined disposable income" means the disposable income of the person claiming the exemption, plus the disposable income of his or her spouse, and the disposable income of each cotenant occupying the residence for the preceding calendar year, less amounts paid by the person claiming the exemption or his or her spouse during the previous year for the treatment or care of either person received in the home or in a nursing home.

(6) "Disposable income" means adjusted gross income as defined in the federal internal revenue code, as amended prior to January 1, 1989, or such subsequent date as the director may provide by rule consistent with the purpose of this section, plus all of the following items to the extent they are not included in or have been deducted from adjusted gross income:

- (a) Capital gains;
- (b) Amounts deducted for loss;
- (c) Amounts deducted for depreciation;
- (d) Pension and annuity receipts;
- (e) Military pay and benefits other than attendant-care and medical-aid payments;
- (f) Veterans benefits other than attendant-care and medical-aid payments;
- (g) Federal social security act and railroad retirement benefits;
- (h) Dividend receipts; and
- (i) Interest received on state and municipal bonds.

(7) "Cotenant" means a person who resides with the person claiming the exemption and who has an ownership interest in the residence.

Sec. 3. RCW 84.38.020 and 1984 c 220 s 20 are each amended to read as follows:

Unless a different meaning is plainly required by the context, the following words and phrases as hereinafter used in this chapter shall have the following meanings:

(1) "Claimant" means a person who ~~((is receiving a property tax exemption under RCW 84.36.381 through 84.36.389 and who))~~ either elects or is required under RCW 84.64.030 or 84.64.050 to defer payment of the special assessments and/or real property taxes accrued on ~~((his))~~ the claimant's residence by filing a declaration to defer as provided by this chapter.

When two or more individuals of a household file or seek to file a declaration to defer, they may determine between them as to who the claimant shall be.

(2) "Department" means the state department of revenue.

(3) "Equity value" means the amount by which the fair market value of a residence as determined from the records of the county assessor exceeds the total amount of any liens or other obligations against the property.

(4) "Special assessment" means the charge or obligation imposed by a city, town, county, or other municipal corporation upon property specially benefited by a local improvement, including assessments under chapters 35.44, 36.88, 36.94, 53.08, 54.16, 56.20, 57.16, 86.09, and 87.03 RCW and any other relevant chapter.

(5) "Real property taxes" means ad valorem property taxes levied on a residence in this state in the preceding calendar year.

Sec. 4. RCW 84.38.030 and 1988 c 222 s 11 are each amended to read as follows:

A claimant may defer payment of special assessments and/or real property taxes on ~~((his property that is receiving an exemption under RCW 84.36.381 through 84.36.389 or))~~ up to eighty percent of the amount of ~~((his))~~ the claimant's equity value in ~~((said property))~~ the claimant's residence if the following conditions are met:

(1) The claimant must meet all requirements for an exemption for the residence under RCW 84.36.381, other than the income limits.

(2) The claimant must have a combined disposable income, as defined in RCW 84.36.383, of thirty thousand dollars or less.

(3) The claimant must have owned, at the time of filing, the residence on which the special assessment and/or real property taxes have been imposed. For purposes of this subsection, a residence owned by a marital community or owned by cotenants shall be deemed to be owned by each spouse or cotenant. A claimant who has only a share ownership in cooperative housing, a life estate, a lease for life, or a revocable trust does not satisfy the ownership requirement.

~~((2))~~ (4) The claimant must have and keep in force fire and casualty insurance in sufficient amount to protect the interest of the state in the claimant's equity value: PROVIDED, That if the claimant fails to keep fire and casualty insurance in force to the extent of the state's interest in the claimant's equity value, the amount deferred shall not exceed one hundred percent of the claimant's equity value in the land or lot only.

((3)) (5) In the case of special assessment deferral, the claimant must have opted for payment of such special assessments on the installment method if such method was available.

NEW SECTION. Sec. 5. 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 shall take effect immediately.

NEW SECTION. Sec. 6. Sections 1 and 2 of this act shall be effective for taxes levied for collection in 1992 and thereafter. Sections 3 and 4 of this act shall be effective for taxes levied for collection in 1991 and thereafter.

### POINT OF ORDER

Mr. Wang: Mr. Speaker, I wish you would review this amendment in terms of whether or not it fits within the scope and object of the bill.

### SPEAKER'S RULING

The Speaker: Representative Holland, the Speaker has examined both Substitute House Bill No. 1313 and the amendment. Substitute House Bill No. 1313 changes the age requirement for persons applying for senior citizen tax exemption. The amendment adds new language, increasing the income threshold for the senior citizen tax exemption program and the income limits for the tax deferral program. The amendment also changes the definition of disposable income. The amendment, as craftily as it was drafted, fails to meet the Speaker's basic test that an amendment perfect and not add new subjects. I should note that the place to offer your amendment would have been on a bill yesterday, dealing with that exact subject. The Speaker finds, Representative Wang, that your point is well taken. The amendment is outside the scope and object of the bill.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Fraser and Holland spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1313, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel,

Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Appelwick, Wineberry - 02.

Substitute House Bill No. 1313, having received the constitutional majority, was declared passed.

HOUSE JOINT RESOLUTION NO. 4208, by Representatives Wang, Holland, Nelson, Phillips, Fraser, Brumsickle, Rust, Ballard, Leonard, Ferguson, Haugen, Horn, Morris, Heavey, May, Jacobsen, O'Brien, Appelwick, Winsley, H. Sommers, Dorn, Belcher, Van Luven, Morton, Kremen, Locke, Brekke, Pruitt, Spanel, Wineberry, Paris, Cooper, Betrozoff, Jones, Franklin, Dellwo, H. Myers, Ogden and Anderson

Amending the Constitution to allow the legislature to grant low-income property owners relief from owner occupied residences.

The resolution was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Wang and Holland spoke in favor of passage of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 4208, and the resolution passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Appelwick, Wineberry - 02.

House Joint Resolution No. 4208, having received the constitutional majority, was declared passed.

Representative Wineberry appeared at the bar of the House.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:  
HOUSE CONCURRENT RESOLUTION NO. 4406.

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

## THIRD READING

HOUSE BILL NO. 1297, by Representatives Wang, Nelson, Horn, Phillips, Fraser, Heavey, Rust, Brumsickle, Leonard, Belcher, Haugen, Winsley, Jacobsen, Ferguson, Morris, Spanel, Appelwick, O'Brien, H. Sommers, Franklin, Wineberry, Dorn, Cooper, R. King, Jones, Pruitt, H. Myers, Ogden, Bray, Cole, Roland, Basich, Hine, Scott and Anderson

Providing temporary property tax relief for low-income homeowners.

The bill was read the third time and placed on final passage.

Mr. Wang spoke in favor of passage of the bill.

The Speaker called on Mr. R. Meyers to preside.

Mr. Nelson spoke in favor of passage of the bill, and Representatives Brough, Heavey, Silver and Padden and spoke against it. Mr. Wang again spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1297, and the bill passed the House by the following vote:

Yeas - 68, Nays - 29, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Basich, Beck, Belcher, Betrozoff, Bray, Brekke, Broback, Cantwell, Casada, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Grant, Hargrove, Haugen, Hine, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Pruitt, Rasmussen, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Wang, Wilson, Wineberry, Winsley, Wood, Zellinsky, and Mr. Speaker - 68.

Voting nay: Representatives Ballard, Bowman, Braddock, Brough, Brumsickle, Chandler, Edmondson, Fuhrman, Heavey, Hochstatter, Holland, Kremen, Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Prince, Rayburn, Silver, Sommers, D., Van Luven, Wynne - 29.

Excused: Representative Appelwick - 01.

House Bill No. 1297, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1301, by Representatives Wang, Holland, Fraser, Horn, Rust, Brumsickle, Leonard, Ballard, Nelson, Heavey, Haugen, Winsley, Jacobsen, May, Morris, Ferguson, Appelwick, Phillips, H. Sommers, Belcher, Locke, Pruitt, Franklin, Spanel, Van Luven, Cooper, Wineberry, H. Myers, Bray, Scott and Anderson

Improving property tax administrative practices.

The bill was read the third time and placed on final passage.

Representatives Wang, Fraser and Heavey spoke in favor of passage of the bill, and Representatives Morton, Chandler, Silver and Padden spoke against it.

Mr. Zellinsky demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1301, and the bill passed the House by the following vote: Yeas - 71, Nays - 25, Absent - 1, Excused - 1.

Voting yea: Representatives Anderson, Belcher, Braddock, Bray, Brekke, Broback, Brough, Cantwell, Casada, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Johnson R., Jones, King, R., Leonard, Locke, Ludwig, May, Meyers, R., Mitchell, Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Schmidt, Scott, Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 71.

Voting nay: Representatives Ballard, Basich, Beck, Betrozoff, Bowman, Brumsickle, Chandler, Fuhrman, Grant, Hochstatter, Johnson P., Kremen, Lisk, McLean, Mielke, Miller, Morton, Moyer, Nealey, Neher, Padden, Prince, Sheldon, Silver, Sommers, D. - 25.

Absent: Representative Rust - 01.

Excused: Representative Appelwick - 01.

Substitute House Bill No. 1301, having received the constitutional majority, was declared passed.

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

#### RESOLUTIONS

HOUSE RESOLUTION NO. 91-4617, by Representative Jacobsen, Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, G. Fisher, R. Fisher, Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, P. Johnson, R. Johnson, Jones,

J. King, R. King, Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, R. Meyers, Mielke, Miller, Mitchell, Morris, Morton, Moyer, H. Myers, Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, D. Sommers, H. Sommers, Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky

WHEREAS, Athletics is one of the most effective ways for women in the United States to develop leadership skills, self-discipline, initiative, and confidence; and

WHEREAS, Sport and fitness activity contributes to emotional and physical well-being, and women need both strong minds and strong bodies; and

WHEREAS, The communication and cooperation skills learned through athletic experience play a key role in the contributions of athletes to the home, to the work place, and to society; and

WHEREAS, Early motor-skill training and enjoyable experiences of physical activity strongly influence lifelong habits of physical fitness; and

WHEREAS, The bonds built among women through athletics help break down the social barriers of racism and prejudice; and

WHEREAS, The history of women in sports is rich and long, but there has been little national recognition of the significance of the athletic achievements of women; and

WHEREAS, The state of Washington has produced women athletes who are winners, such as Olympic skier Debbie Armstrong, ice skater Rosalynn Summers, track star Doris Heritage, swimmer Mary Wayte, synchronized swimmer Tracie Ruiz-Conforto, marathon runner Lisa Weidenbach, and soccer player Shannon Higgins, whose spirit, talent, and accomplishments distinguished them from others and were a source of inspiration and pride to all of us; and

WHEREAS, The number of women in the leadership positions of coaches, officials, and administrators has declined drastically over the past decade, and there is a need to restore women to these positions to ensure a fair representation of the abilities of women and to provide role models for young female athletes; and

WHEREAS, The athletic opportunities for male students at the college and high school level remain significantly greater than the athletic opportunities for female students; and

WHEREAS, The number of funded research projects focusing on the specific needs of women athletes is limited, and the information provided by the projects is imperative to the health and performance of future women athletes;

NOW, THEREFORE, BE IT RESOLVED, That February 7, 1991, be designated as National Girls and Women in Sports Day.

Mr. Jacobsen moved adoption of the resolution. Representatives Jacobsen, Rust, Forner and Miller spoke in favor of the resolution.

On motion of Mr. Wineberry, the rules were suspended and the names of all members of the House of Representatives were added as sponsors of the resolution.

House Resolution No. 91-4617 was adopted.

HOUSE RESOLUTION NO. 91-4612, by Representatives O'Brien, Rasmussen, Ebersole, Heavey, Orr, Hine, Jacobsen, G. Fisher, Anderson, Rust, Leonard, Wang, R. King, Cole, Kremen, Fraser, Ballard and Berezoff

WHEREAS, Charles L. "Charlie" Marsh has served with dedication and distinction in behalf of the law enforcement officers of the Washington State Council of Police Officers; and

WHEREAS, Charlie Marsh has now retired from the esteemed position of Executive Director of the Washington State Council of Police Officers after thirty-two years of distinguished service; and

WHEREAS, During his long and dedicated service to this organization Charlie Marsh was well known to many of us as a conscientious and strong advocate for the rights and principles of his fellow law enforcement officers; and

WHEREAS, Charlie Marsh demonstrated his commitment to law enforcement personnel as he diligently pursued their interests in pension reform, health, and safety legislation;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives extend its heartiest congratulations and best wishes to Charlie Marsh on his retirement as Executive Director of the Washington State Council of Police Officers, and share with him on this occasion, which must be a genuine source of personal satisfaction, that, as a law enforcement leader, he made a life commitment so that all police officers and their families could lead happier, more meaningful lives; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be immediately transmitted to Charlie Marsh by the Chief Clerk of the House of Representatives.

Mr. O'Brien moved adoption of the resolution. Representatives O'Brien, Rasmussen and Winsley spoke in favor of the resolution.

House Resolution No. 91-4612 was adopted.

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

#### MOTION

On motion of Mr. Dorn, the House adjourned until 12:00 Noon, Thursday, February 7, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**TWENTY-FIFTH DAY**

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**NOON SESSION**

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House Chamber, Olympia, Thursday, February 7, 1991

The House was called to order at 12:00 Noon by the Speaker (Mr. O'Brien presiding).

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

**MESSAGES FROM THE SENATE**

February 6, 1991

Mr. Speaker:

The Senate has passed:

**SUBSTITUTE SENATE BILL NO. 5309,**

and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

February 7, 1991

Mr. Speaker:

The President has signed:

**HOUSE CONCURRENT RESOLUTION NO. 4406,**

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

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

**INTRODUCTIONS AND FIRST READING**

HB 1725 by Representatives Prentice, Winsley, Heavey, Basich, Jones, R. King, Cole, Ogden, Hargrove, Fraser, Day, Cantwell, Braddock, Sprenkle, Dellwo, Wineberry, Spanel and Roland

AN ACT Relating to human reproductive rights regarding hazardous substances in the workplace; amending RCW 49.70.010, 49.70.130, 49.17.240, and 49.60.030; adding a new section to chapter 18.73 RCW; adding a new section to chapter 49.44 RCW; and adding a new section to chapter 49.70 RCW.

Referred to Committee on Commerce & Labor.

HB 1726 by Representatives Spanel, Jacobsen, Kremen, Ogden, Prince, R. Johnson, Braddock and Wineberry

AN ACT Relating to tribally controlled colleges; and amending RCW 28B.10.802 and 28B.12.030.

Referred to Committee on Higher Education.

HB 1727 by Representatives Appelwick, Jacobsen, Paris, Morton, Mielke, Brekke, Anderson, Forner, Day, Vance, R. Johnson and Wineberry

AN ACT Relating to interpreters; and amending RCW 2.42.020, 2.42.030, 2.42.040, 2.42.050, 2.42.110, 2.42.120, 2.42.130, 2.42.160, 2.42.170, and 2.42.180.

Referred to Committee on Judiciary.

HB 1728 by Representatives Morton, Beck, Nealey, Padden, Ballard, Brumsickle, Winsley, Chandler, McLean, Mielke, Fuhrman and Bowman

AN ACT Relating to pesticide posting and record keeping; amending RCW 17.21.100, 49.70.117, and 49.70.119; and declaring an emergency.

Referred to Committees on Agriculture & Rural Development/ Commerce & Labor.

HB 1729 by Representatives Wineberry, Vance, Inslee, Dellwo, Wang, Forner and Anderson; by request of Administrator for the Courts

AN ACT Relating to the jury source list; creating a new section; and making an appropriation.

Referred to Committees on Judiciary/Appropriations.

HB 1730 by Representatives Heavey, Prentice, R. King and Cole

AN ACT Relating to unemployment compensation and benefits; amending RCW 50.20.050, 50.20.060, 50.20.120, 50.06.010, 50.06.020, and 50.06.030; adding a new section to chapter 50.20 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1731 by Representatives Heavey, R. King, Jones, Prentice and Cole

AN ACT Relating to private business entities receiving public assistance; adding a new chapter to Title 19 RCW; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 1732 by Representatives Appelwick, Winsley, Wineberry, Locke, Ferguson, Scott and Forner

AN ACT Relating to warrant servers; and amending RCW 35.20.270.

Referred to Committee on Judiciary.

HB 1733 by Representatives R. King, Prentice, Heavey and Cole

AN ACT Relating to industrial insurance premium liabilities of workers; and amending RCW 51.16.140, 51.16.210, and 51.48.050.

Referred to Committee on Commerce & Labor.

HB 1734 by Representatives Nelson, Mitchell, Leonard, Winsley, Ogden, May, Franklin, Van Luven, Wineberry and Anderson

AN ACT Relating to the purchase of section 8 assisted housing developments; adding a new chapter to Title 59 RCW; and prescribing penalties.

Referred to Committee on Housing.

HB 1735 by Representatives Cooper, Ferguson, Dellwo and Rasmussen

AN ACT Relating to improving services for persons with developmental disabilities; amending RCW 71A.20.020; adding new sections to chapter 71A.20 RCW; and creating a new section.

Referred to Committee on Health Care.

HB 1736 by Representatives O'Brien, Fuhrman and R. King

AN ACT Relating to payment for work of improvement on real property; adding a new chapter to Title 60 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 1737 by Representatives Wineberry, Franklin, Ferguson, Riley, Forner, Ludwig, Miller, Winsley, Jacobsen and Anderson

AN ACT Relating to minority and women-owned businesses; amending RCW 43.31.085, 43.31.055, and 39.19.030; adding a new chapter to Title 43 RCW; and making appropriations.

Referred to Committees on Trade & Economic Development/ Appropriations.

HB 1738 by Representatives Wineberry, Miller, Grant, May, Jacobsen, R. Fisher, Locke, Holland, Belcher, Ferguson, Hine, Wang, Winsley, Forner and Anderson

AN ACT Relating to increasing utilities procurement contracts by women-owned and minority-owned enterprises; adding new sections to chapter 80.04 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Energy & Utilities.

HB 1739 by Representatives Leonard, Mitchell, Nelson, Winsley, Franklin, Locke, May, R. Johnson, Wineberry and Miller

AN ACT Relating to a property tax exemption for nonprofit organizations that house low-income homeless persons; and amending RCW 84.36.043.

Referred to Committees on Housing/Revenue.

HB 1740 by Representatives Ogden, Winsley, Nelson, Leonard, May, Ebersole, Ballard, R. Johnson and Wineberry

AN ACT Relating to public housing authorities; and amending RCW 35.82.070, 35.82.130, 35.82.285, 35.83.020, and 35.83.030.

Referred to Committee on Housing.

HB 1741 by Representatives Ebersole, Forner, H. Myers, Holland, Ogden, Horn, Ludwig, Belcher, Peery, Winsley, Phillips, Fraser, Scott, Nelson, Leonard, Franklin, Spanel, Locke, May, Brough, Jacobsen, Anderson, Cole, Ballard, Ferguson, Van Luven, R. Johnson, Vance, Wineberry, Tate, Roland, Miller, Wang, Bowman, Rasmussen and D. Sommers

AN ACT Relating to domestic violence; amending RCW 7.68.070, 9A.36.031, 9A.36.045, 10.99.020, 10.99.040, 10.99.050, 26.50.110, 26.50.010, 26.50.020, and 82.14.340; adding new sections to chapter 70.123 RCW; adding a new chapter to Title 18 RCW; creating new sections; repealing RCW 70.123.020; prescribing penalties; and making an appropriation.

Referred to Committees on Judiciary/Appropriations.

HB 1742 by Representatives Paris, R. Johnson, Wood, Riley, Wilson, Ludwig, Orr, Mielke, Brumsickle, Broback, Chandler, Vance, Wynne, Wineberry, Horn, Tate, Moyer, Betrozoff, D. Sommers, Padden and Roland

AN ACT Relating to insurance brokers; and adding a new section to chapter 48.30 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1743 by Representatives Dellwo, Broback, R. Meyers, R. Johnson, Dorn, Zellinsky, Paris, Scott and Winsley.

AN ACT Relating to consumer loans; adding new sections to chapter 31.04 RCW; repealing RCW 31.04.010, 31.04.030, 31.04.040, 31.04.050, 31.04.060, 31.04.070, 31.04.080, 31.04.090, 31.04.095, 31.04.100, 31.04.110, 31.04.120, 31.04.130, 31.04.140, 31.04.150, 31.04.160, 31.04.200, 31.04.210, 31.04.220, 31.04.230, 31.04.250, 31.04.260, 31.08.010, 31.08.020, 31.08.030, 31.08.050, 31.08.060, 31.08.070, 31.08.080, 31.08.090, 31.08.100, 31.08.130, 31.08.140, 31.08.150, 31.08.160, 31.08.170, 31.08.173, 31.08.175, 31.08.180, 31.08.190, 31.08.200, 31.08.210, 31.08.220, 31.08.230, 31.08.240, 31.08.250, 31.08.260, 31.08.270, 31.08.900, 31.08.910, 31.08.911, and 31.08.920; prescribing penalties; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 1744 by Representatives Heavey, Spanel, Miller, Prentice, Jacobsen, Cole, Ludwig, R. King, O'Brien, May, Anderson, H. Sommers, Winsley and Jones

AN ACT Relating to the definition of reasonable assurance for unemployment insurance; amending RCW 50.44.053; and creating a new section.

Referred to Committee on Commerce & Labor.

HB 1745 by Representatives Casada, Leonard, Tate, Hargrove, Moyer, Broback, Van Luven, Horn, Bray, Bowman, Vance, Beck, Fuhrman, Padden, Chandler, Holland, Paris, Edmondson, Nealey, Hochstatter, P. Johnson, D. Sommers, Betrozoff and Forner

AN ACT Relating to family impact statements; and adding a new section to Title 26 RCW.

Referred to Committees on State Government/Human Services/Appropriations.

HB 1746 by Representatives Jones, Hargrove and Bowman

AN ACT Relating to delivery of liquor; and amending RCW 66.08.050.

Referred to Committee on Trade & Economic Development.

HB 1747 by Representatives Jones, Bowman, Basich, Hargrove, Sheldon, Holland, Riley, Nelson, Valle and Wineberry

AN ACT Relating to community stabilization activities; adding new sections to chapter 43.63A RCW; creating new sections; and making an appropriation.

Referred to Committees on Housing/Appropriations.

HB 1748 by Representatives Ludwig, Cantwell, Forner, Moyer, Roland, Kremen, Rasmussen, Betrozoff, Ferguson, Wineberry, Miller, Bowman and Sheldon

AN ACT Relating to the small business export finance assistance center; and repealing RCW 43.131.325 and 43.131.326.

Referred to Committee on Trade & Economic Development.

HB 1749 by Representatives Spanel, Leonard, Pruitt, Winsley, Brekke, Anderson, Beck, R. King, Jacobsen, Wineberry and Rasmussen

AN ACT Relating to parent education; adding new sections to Title 28A RCW; creating a new section; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 1750 by Representatives Heavey, D. Sommers, H. Sommers, Anderson and Winsley

AN ACT Relating to the provision of accounting and fiscal services within state agencies; and adding a new section to chapter 43.88 RCW.

Referred to Committee on Appropriations.

HB 1751 by Representative Heavey

AN ACT Relating to impact fees for school facilities; amending RCW 82.02.090; adding a new section to chapter 82.02 RCW; adding a new section to chapter 28A.315 RCW; and adding a new section to chapter 28A.525 RCW.

Referred to Committees on Education/Capital Facilities & Financing.

HB 1752 by Representatives Jacobsen, Wood, Anderson, Horn and Rasmussen

AN ACT Relating to geographic information services and products provided by counties and cities; and creating a new chapter in Title 40 RCW.

Referred to Committee on State Government.

HB 1753 by Representatives Valle, Sprenkle, Braddock, Morris, Moyer, Fraser, Paris, Ferguson, Locke, Prentice, Fuhrman, Vance and Rasmussen; by request of Department of Health

AN ACT Relating to tobacco control; amending RCW 82.24.520 and 82.24.530; adding a new chapter to Title 70 RCW; adding a new section to chapter 43.20 RCW; adding a new section to chapter 82.24 RCW; adding a new section to chapter 82.26 RCW; adding a new section to chapter 43.70 RCW; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committees on Health Care/Revenue.

HB 1754 by Representatives R. Fisher, Betrozoff, Nelson, Horn, Cantwell and Heavey

AN ACT Relating to transportation strategies for reducing the impact of motor vehicles; amending RCW 70.120.010; adding a new section to chapter 82.44 RCW; adding a new section to chapter 70.94 RCW; adding a new chapter to Title 81 RCW; adding a new chapter to Title 82 RCW; creating a new section; providing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 1755 by Representatives Braddock, Bowman and Anderson

AN ACT Relating to registration of architects; and amending RCW 18.08.350.

Referred to Committee on Commerce & Labor.

HB 1756 by Representatives Ludwig, D. Sommers, Riley, Wynne, Forner, Orr, Van Luven, R. Johnson, Vance, Winsley, Tate, Roland, Broback, Rasmussen, Betrozoff and Nealey

AN ACT Relating to participation in criminal street gangs; amending RCW 9.94A.310; adding a new chapter to Title 9 RCW; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1757 by Representatives Ferguson, Van Luven, Heavey, D. Sommers, Dorn, Miller, R. Meyers, Paris, Hargrove, Silver, Prentice, Moyer, Betrozoff, Winsley, Horn, Chandler, Tate, Vance, Nealey, Edmondson, Fuhman, Broback, Wynne, Ballard, Hochstatter, Jacobsen, Wineberry, Roland, Bowman, Brough and Forner

AN ACT Relating to driving under the influence of intoxicating liquor or any drug; and amending RCW 2.56.110, 3.66.070, 9.94A.030, 43.59.140, 46.61.990, and 70.96A.120.

Referred to Committee on Judiciary.

HB 1758 by Representatives Ferguson, R. Meyers, Horn, Paris, Haugen, May, Winsley, Betrozoff, Tate, Vance, Neher, Mitchell, Wood, R. Johnson, Wineberry, Roland, Orr, Bowman, Rasmussen, Forner, D. Sommers and Chandler

AN ACT Relating to the penalty for rapists of children under age twelve; adding a new section to chapter 9.94A RCW; creating a new section; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1759 by Representatives Van Luven, Zellinsky, Nealey, Nelson, Vance, Franklin, Ferguson and Rasmussen

AN ACT Relating to tort liability for systems of sewerage; and adding a new section to chapter 4.96 RCW.

Referred to Committee on Judiciary.

HB 1760 by Representatives Van Luven, Haugen, Edmondson, Nelson, Wynne, Nealey, Zellinsky and Franklin

AN ACT Relating to community councils in cities and towns; amending RCW 35.14.010; adding a new section to chapter 35.10 RCW; and adding a new section to chapter 35A.14 RCW.

Referred to Committee on Local Government.

HB 1761 by Representatives Brough, Haugen, Mitchell and Cooper

AN ACT Relating to the powers of initiative and referendum in cities; amending RCW 35A.11.080, 35A.11.090, 35.17.260, 35.17.240, 35.17.280, 35.17.290, 35.17.300, 35.17.230, 35A.29.170, and 39.88.090; adding new sections to chapter 35A.11 RCW; creating a new section; recodifying RCW 35.17.240, 35.17.260, 35.17.280, 35.17.290, and 35.17.300; and repealing RCW 35.17.250, 35.17.270, 35.17.310, 35.17.320, 35.17.330, 35.17.340, 35.17.350, 35.17.360, and 35A.11.100.

Referred to Committee on Local Government.

HB 1762 by Representatives Brough, Peery, Vance, Betrozoff, Brumsickle, Broback, Holland, P. Johnson, Dorn, Rasmussen, H. Sommers, Van Luven, Morton, Winsley, Jacobsen, Wineberry, Spanel, Tate, Miller, Bowman, Forner and D. Sommers

AN ACT Relating to high school students; and amending RCW 28A.600.300, 28A.600.310, 28A.600.320, 28A.600.330, 28A.600.360, 28A.600.370, 28A.600.380, 28A.600.395, and 28A.600.400.

Referred to Committee on Education.

HJM 4006 by Representatives Padden, Heavey, Brough, Kremen, Hargrove, Beck, Grant, Mitchell, Fuhrman, Forner, Paris, P. Johnson, Morton, Casada, Nealey, Chandler, Mielke, May, Tate, Holland, Wood, Horn, Vance, Silver, Moyer, Wynne, Hochstatter, Broback, Jacobsen, Wineberry, Orr, Miller, Bowman, Betrozoff and D. Sommers

Requesting Congress and the president to call for a cessation of coercive tactics by the Soviet Union in the Baltic nations.

Referred to Committee on State Government.

HJM 4007 by Representatives Hine, Grant, Holland, G. Fisher, Forner, Braddock, Heavey, Prentice, Leonard, Valle, Kremen, Fuhrman, Morton, Spanel and Anderson

Concerning the study of electric and magnetic fields.

Referred to Committee on Energy & Utilities.

HCR 4408 by Representatives Hine, Prince and Day

Establishing the "Legislative Old Timers" Reunion.

Held on First Reading from 2/5/91.

SSB 5309 by Senate Committee on Governmental Operations (originally sponsored by Senators L. Smith, Bauer, Barr, Sutherland, Saling, McMullen, Craswell, McCaslin and Johnson)

Limiting the ability of other jurisdictions to collect income taxes on pension and retirement benefits of Washington residents.

Referred to Committee on Revenue.

#### MOTION

On motion of Mr. Wineberry, the bills, memorials and resolution listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

#### REPORTS OF STANDING COMMITTEES

February 5, 1991

HB 1012 Prime Sponsor, Representative Haugen: Providing a mechanism to recover lost fishing nets. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: That Substitute House Bill No. 1012 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; Wilson, Ranking Minority Member; Cole; Haugen; Hochstatter; Orr; and Spanel.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Assistant Ranking Minority Member and Padden.

Excused: Representative Basich.

Referred to Committee on Appropriations.

February 5, 1991

HB 1024 Prime Sponsor, Representative Zellinsky: Excluding certain driving record information pertaining to law enforcement officers and fire fighters from abstracts of driving records. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Broback, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Anderson; Dorn; Inslee; R. Johnson; R. Meyers; Paris; Schmidt; Scott; and Winsley.

Passed to Committee on Rules for second reading.

February 5, 1991

HB 1030 Prime Sponsor, Representative Valle: Requiring posting of liquor applications. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; R. King; Prentice; Vance; and Wilson.

Excused: Representatives Jones and O'Brien.

Passed to Committee on Rules for second reading.

February 5, 1991

HB 1032 Prime Sponsor, Representative Haugen: Providing county reimbursement for selected transportation of human remains. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Referred to Committee on Appropriations.

February 5, 1991

HB 1057 Prime Sponsor, Representative Anderson: Providing protection to the lieutenant governor. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Passed to Committee on Rules for second reading.

February 5, 1991

HB 1085 Prime Sponsor, Representative Winsley: Defining the fiduciary relationship of credit union personnel. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute House Bill No. 1085 be substituted therefor, and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Broback, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Anderson; Dorn; Inslee; R. Johnson; R. Meyers; Paris; Schmidt; Scott; and Winsley.

Passed to Committee on Rules for second reading.

February 4, 1991

HB 1103 Prime Sponsor, Representative Jacobsen: Providing funds for the observance of the state's maritime bicentennial. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Dellwo; Fraser; Ludwig; Miller; Prince; Sheldon; Spanel; and Van Luven.

Excused: Representative Basich

Referred to Committee on Appropriations.

February 1, 1991

HB 1112 Prime Sponsor, Representative Ferguson: Providing for environmental interpretation in state parks. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute House Bill No. 1112 be substituted therefor, and the substitute bill do pass. Signed by Representatives Belcher, Chair; Scott, Vice Chair; Beck, Ranking Minority Member; Brumsickle,

Assistant Ranking Minority Member; Dellwo; Fraser; Hargrove; Morton; Riley; Sheldon; and Wynne.

Excused: Representative Wynne.

Passed to Committee on Rules for second reading.

February 6, 1991

HB 1159 Prime Sponsor, Representative Cole: Requiring the adoption of a policy prohibiting corporal punishment in schools. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; Betrozoff; Broback; Cole; Dorn; Holland; Jones; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

MINORITY recommendation: Do not pass. Signed by Representatives Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Brumsickle; P. Johnson; and Neher.

Excused: Representative G. Fisher, Vice Chair.

Passed to Committee on Rules for second reading.

February 6, 1991

HB 1222 Prime Sponsor, Representative Betrozoff: Placing the responsibility for the formation of school directors' districts with the districts' boards of directors. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1222 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betrozoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Excused: Representatives G. Fisher, Vice Chair; and Holland.

Passed to Committee on Rules for second reading.

February 5, 1991

HB 1232 Prime Sponsor, Representative Cole: Limiting requirements beer labels reflect alcohol content. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 26, after "liquor", strike all material through "year" on page 2, line 29, and insert ": Provided, That nothing herein shall be construed as authorizing the

board to establish rules or regulations which impede interstate commerce or require state specific labeling

Signed by Representatives Heavey, Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; R. King; Prentice; Vance; and Wilson.

Voting nay: Representative Cole, Vice Chair.

Excused: Representatives Jones and O'Brien.

Passed to Committee on Rules for second reading.

February 4, 1991

HB 1295 Prime Sponsor, Representative Wood: Establishing a physical access committee at each institute of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute House Bill No. 1295 be substituted therefor, and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Dellwo; Fraser; Ludwig; Miller; Prince; Sheldon; Spanel; and Van Luven.

Excused: Representative Basich.

Referred to Committee on Capital Facilities & Financing.

February 4, 1991

HB 1296 Prime Sponsor, Representative Ogden: Improving access to higher education for students with disabilities. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute House Bill No. 1296 be substituted therefor, and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Dellwo; Fraser; Ludwig; Miller; Prince; Sheldon; Spanel; and Van Luven.

Excused: Representative Basich.

Referred to Committee on Appropriations.

February 5, 1991

HB 1450 Prime Sponsor, Representative Peery: Providing a business and occupation tax credit for services provided by a public safety testing lab. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; Silver; and Van Luven.

Passed to Committee on Rules for second reading.

February 5, 1991

HB 1470 Prime Sponsor, Representative Ogden: Relating to appropriations for projects recommended by public works board. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schmidt, Ranking Minority Member; Neher, Assistant Ranking Minority Member; Beck; Brough; Casada; Fraser; Heavey; Jacobsen; Ogden; and Silver.

Excused: Representatives Braddock, Brough, Heavey, Peery and Wang.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Wineberry, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

#### MOTIONS

On motion of Mr. Wineberry, House Bill No. 1092 was referred from Committee on Judiciary to Committee on Financial Institutions & Insurance.

On motion of Mr. Wineberry, House Bill No. 1152 was referred from Committee on Judiciary to Committee on Human Services.

On motion of Mr. Wineberry, House Bill No. 1623 was referred from Committee on Capital Facilities & Financing to Committees on Housing/Capital Facilities & Financing.

On motion of Mr. Wineberry, House Bill No. 1687 was referred from Committee on Agriculture & Rural Development to Committee on Commerce & Labor.

On motion of Mr. Wineberry, House Bill No. 1720 was referred from Committee on Financial Institutions & Insurance to Committee on Energy & Utilities.

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

## MOTION

On motion of Mr. Wineberry, the House adjourned until 10:00 a.m., Friday, February 8, 1991.

ALAN THOMPSON, Chief Clerk

JOSEPH E. KING, Speaker

TWENTY-SIXTH DAY

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MORNING SESSION

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House Chamber, Olympia, Friday, February 8, 1991

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Jacobsen, Locke, Riley, Sheldon, H. Sommers, Wood and Mr. Speaker. On motion of Mr. Mielke, Representative Wood was excused. On motion of Mr. Orr, Representatives Jacobsen, Locke, Sheldon and Mr. Speaker were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jayme de Wees and Adam Soule. Prayer was offered by Chaplain Major Gerald Marcoe, I Corps, Fort Lewis.

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

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

INTRODUCTIONS AND FIRST READING

HB 1763 by Representatives Schmidt, Heavey, Broback, D. Sommers, Horn, Brough, Wynne, Hochstatter, Moyer, Van Luven, Neher, P. Johnson, Casada, Tate and Chandler

AN ACT Relating to gambling; amending RCW 67.70.040 and 9.46.0311; and repealing RCW 9.46.0233.

Referred to Committee on Commerce & Labor.

HB 1764 by Representatives Dorn, Brough, Peery, Ferguson, Orr, Rasmussen, Brumsickle, Inslee, Holland, Roland, Riley, Beck, Wood, Hargrove, Pruitt, Jones, Rayburn, R. Meyers, Ebersole, Wineberry, Cooper, Winsley, Basich, Forner and Sprengle

AN ACT Relating to academic, vocational, and technological education; adding new sections to chapter 28A.630 RCW; creating a new section; making an appropriation; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committees on Education/Appropriations.

HB 1765 by Representatives Belcher, Prentice, Heavey, Cole, R. Fisher, Wood, Phillips, G. Fisher, Winsley, Pruitt, Wineberry, Sprenkle, Leonard and Anderson

AN ACT Relating to public and worker safety in the use of pesticides; amending RCW 15.58.020, 15.58.110, 70.104.030, 15.58.040, 15.58.100, 15.58.405, 17.21.100, and 49.70.119; adding a new section to chapter 49.17 RCW; and creating a new section.

Referred to Committee on Commerce & Labor.

HB 1766 by Representatives Riley, Roland, Orr, Anderson, Belcher, Hargrove, Ludwig, Wineberry, Scott, Basich, R. Johnson, Jones, Kremen, Wilson, Nelson, Ferguson, R. Meyers, Ebersole, Cooper, Rasmussen, Franklin, Leonard and Haugen

AN ACT Relating to law enforcement officers who die in the line of duty; and adding a new chapter to Title 41 RCW.

Referred to Committee on Judiciary.

HB 1767 by Representatives Miller and Fraser

AN ACT Relating to water resource funding; adding a new section to chapter 43.33 RCW; adding a new section to chapter 43.27A RCW; and creating a new section.

Referred to Committee on Natural Resources & Parks.

HB 1768 by Representatives Ballard, Paris, Bowman, Ferguson, Brough, Hochstatter, Moyer, Neher, P. Johnson and Tate

AN ACT Relating to limiting issuance of drivers' licenses to persons under eighteen; amending RCW 46.04.480 and 46.20.311; adding new sections to chapter 46.20 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Education.

HB 1769 by Representatives Ballard and McLean

AN ACT Relating to forests; amending RCW 76.04.455; and prescribing penalties.

Referred to Committee on Natural Resources & Parks.

HB 1770 by Representatives P. Johnson, Wynne, Betrozoff, Rayburn, McLean, Haugen, Ballard, Rasmussen, Brough, Paris, Chandler, Hargrove, Beck, Sheldon, May, Tate, Wood, Ferguson, Nealey, Van

Luven, Mitchell, Lisk, Prince, Prentice, Hochstatter, Roland, Vance, D. Sommers, Silver, Casada, Padden, Bowman, Former, Neher, Fuhrman, Moyer, Miller, Basich, Kremen, Wilson, Wineberry, Edmondson and Brumsickle

AN ACT Relating to the alleviation of flood damage; amending RCW 86.16.120, 79.72.010, 79.72.020, 79.72.030, 79.72.070, 79.90.455, 90.58.020, 90.58.030, 75.20.100, 75.20.103, 75.10.130, 43.21C.020, 43.21C.037, 47.28.140, 79.01.135, 86.26.007, 36.32.290, 86.26.005, 86.26.040, 86.26.050, 86.26.060, 86.26.070, 86.26.100, and 86.26.105; adding a new section to chapter 79.72 RCW; adding a new section to chapter 90.58 RCW; adding a new section to chapter 86.16 RCW; adding a new section to chapter 86.26 RCW; and creating a new section.

Referred to Committee on Natural Resources & Parks.

HB 1771 by Representatives Rasmussen, R. Fisher, Dorn, Brumsickle, Betrozoff, Basich, Cantwell, Fraser, R. Meyers, Belcher and Ebersole

AN ACT Relating to transportation facilities of first class cities; and amending RCW 35.92.060.

Referred to Committee on Transportation.

HB 1772 by Representatives Wynne, Haugen, Edmondson, Belcher, Wood, Rayburn, Holland, Prentice, Miller, Riley, Van Luven, Fraser, Ballard, P. Johnson, Vance, Sheldon, Lisk, Broback, Paris, Roland, May, Kremen, Brough, Leonard, Wineberry, Mitchell, Franklin, McLean, Scott, Beck, Schmidt, Cole, Chandler, Sprenkle, Brumsickle, Wilson, R. Johnson, Tate, Zellinsky, Nelson, Cooper, Former, Heavey, Cantwell, Wang, R. King, Jones, Rasmussen, Hargrove, Casada, Hochstatter, Basich, Bowman, D. Sommers, Moyer and Bray

AN ACT Relating to flood control; amending RCW 86.26.007, 86.26.070, and 86.26.090; providing an effective date; and declaring an emergency.

Referred to Committee on Natural Resources & Parks.

HB 1773 by Representatives Wynne, Scott, Beck, Fraser, Miller, Ludwig, Edmondson, Riley, Brough, Sheldon, Chandler, Kremen, Fuhrman, Paris, Mitchell, Former and Roland

AN ACT Relating to disaster assistance; adding new sections to chapter 38.52 RCW; creating a new section; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1774 by Representatives Jacobsen, R. Fisher, Anderson, Appelwick, Nelson, Miller, Heavey, Pruitt, Jones, Ebersole, Inslee, Wineberry, Cooper, Rasmussen, Franklin, Roland and Leonard

AN ACT Relating to the joint select committee on privacy and information technology; and creating new sections.

Referred to Committee on Judiciary.

HB 1775 by Representatives Inslee, Locke, Wineberry, Prentice, Franklin, Paris, Belcher, Appelwick, Wang, Morton, Ebersole and Pruitt

AN ACT Relating to peremptory challenges of jurors; and amending RCW 4.44.140.

Referred to Committee on Judiciary.

HB 1776 by Representatives Day, Moyer, Zellinsky and Rasmussen; by request of Department of Health

AN ACT Relating to veterinary medicine; amending RCW 18.92.015 and 18.92.145; and adding a new section to chapter 18.92 RCW.

Referred to Committee on Agriculture & Rural Development.

HB 1777 by Representatives H. Sommers, Schmidt, Hargrove, Braddock, Leonard, Winsley, Fraser, Bowman, Zellinsky, Holland, Paris, Basich and May; by request of Department of Corrections

AN ACT Relating to expedited prison construction; adding new sections to chapter 39.04 RCW; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committees on Human Services/Capital Facilities & Financing.

HB 1778 by Representatives Morris, Wood, Jacobsen, Holland, Ogden, Grant, R. Fisher, H. Myers, Riley, Scott and Cooper

AN ACT Relating to resident higher education students; and reenacting and amending RCW 28B.15.012.

Referred to Committees on Higher Education/Appropriations.

HB 1779 by Representatives Morris, Wilson, Ebersole, R. King, Cole, Spanel, H. Sommers, Haugen, Prince, Bowman, Van Luvan, Orr, Basich, Zellinsky, Grant and Rasmussen

AN ACT Relating to taxes paid by the department of wildlife; creating a new section; and repealing RCW 77.12.201 and 77.12.203.

Referred to Committee on Natural Resources & Parks.

HB 1780 by Representatives Morris, Padden, Appelwick, Riley, H. Myers, Leonard, Belcher, Phillips, Silver, Holland, Paris, R. Johnson, May, Kremen, Rayburn, Cantwell, Broback, D. Sommers, Vance, Ebersole, Inslee, Morton, Cooper, Winsley, Wynne, Hochstatter, Moyer, Rasmussen, Basich, Van Luven, Neher, P. Johnson, Former, Casada, Roland, Tate, Brumsickle, Orr and Haugen

AN ACT Relating to work crews for offenders; amending RCW 9.94A.030, 9.94A.120, 9.94A.180, 9.94A.190, and 9A.76.010; and adding a new section to chapter 9.94A RCW.

Referred to Committee on Human Services.

HCR 4408 by Representatives Hine, Prince and Day

Establishing the "Legislative Old Timers" Reunion.

Held on First Reading from 2/5/91.

HCR 4409 by Representatives O'Brien, Wineberry, Locke, Prince, Phillips, Kremen, Day, Jones, Ballard, Anderson, Hine, Wang, Ebersole, Rasmussen, Jacobsen, Orr, Hargrove, Basich, Sheldon, Ludwig, Roland, R. Meyers, R. King, Morris, H. Myers, Bray, Valle, Grant, Spanel, R. Fisher, Pruitt, Fraser, Riley, May, Bowman, Ferguson, D. Sommers, Winsley, Horn, Wynne, Moyer, Edmondson, Franklin, Brumsickle, Sprengle, Chandler, Leonard and Haugen

Acknowledging Senator George Fleming upon his retirement from the legislature.

#### MOTION

On motion of Mr. Ebersole, the bills and resolutions listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

#### MOTIONS

On motion of Mr. Ebersole, the rules were suspended and House Concurrent Resolution No. 4408 was advanced to second reading and read the second time in full.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Hine and Prince spoke in favor of the resolution.

House Concurrent Resolution No. 4408 was adopted.

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

### REPORTS OF STANDING COMMITTEES

February 6, 1991

HB 1064 Prime Sponsor, Representative Appelwick: Prohibiting the unauthorized reproduction or recording of material. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1064 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representative Belcher.

Passed to Committee on Rules for second reading.

February 6, 1991

HB 1073 Prime Sponsor, Representative O'Brien: Dealing with voter registration for high school students. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Referred to Committee on Appropriations.

February 6, 1991

HB 1091 Prime Sponsor, Representative Appelwick: Establishing the uniform foreign-money claims act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representative Belcher.

Passed to Committee on Rules for second reading.

February 7, 1991

HB 1111 Prime Sponsor, Representative Scott: Authorizing the department of natural resources to establish a program in community and urban forestry. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute House Bill No. 1111 be substituted therefor, and the substitute bill do pass. Signed by Representatives Belcher, Chair; Scott, Vice Chair; Beck, Ranking Minority Member; Brumsickle, Assistant Ranking Minority Member; Dellwo; Hargrove; Morton; Riley; Sheldon; and Wynne.

Excused: Representative Fraser.

Passed to Committee on Rules for second reading.

February 7, 1991

HB 1156 Prime Sponsor, Representative Winsley: Regulating structural pest control inspectors. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass with the following amendment: On page 12, line 9, after "licenses" insert "issued under chapter 17.21 RCW"

Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Minority Member; P. Johnson, Assistant Ranking Minority Member; Chandler; Grant; R. Johnson; Lisk; McLean; Rasmussen; and Roland.

Excused: Representatives Kremen, Vice Chair; and Lisk.

Passed to Committee on Rules for second reading.

February 6, 1991

HB 1185 Prime Sponsor, Representative Appelwick: Requiring certain federal liens to be filed with the department of licensing. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representative Belcher.

Passed to Committee on Rules for second reading.

February 6, 1991

HB 1217 Prime Sponsor, Representative Wineberry: Extending the voter registration period. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Passed to Committee on Rules for second reading.

February 7, 1991

HB 1237 Prime Sponsor, Representative Day: Allowing a veterinarian dispense legend drugs prescribed by another veterinarian. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: That Substitute House Bill No. 1237 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Minority Member; P. Johnson, Assistant Ranking Minority Member; Chandler; Grant; R. Johnson; Lisk; McLean; Rasmussen; and Roland.

Excused: Representatives Kremen, Vice Chair; and Lisk.

Passed to Committee on Rules for second reading.

February 6, 1991

HB 1270 Prime Sponsor, Representative Spanel: Reorganizing the statutes governing the state's retirement system. Reported by Committee on Appropriations

MAJORITY recommendation: That Substitute House Bill No. 1270 be substituted therefor, and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Braddock; Brekke; Dorn; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; Valle; Vance; and Wang.

Excused: Representatives Bowman, Ebersole, Ferguson, Holland, H.Sommers, Sprenkle and Wineberry.

Passed to Committee on Rules for second reading.

February 7, 1991

HB 1426 Prime Sponsor, Representative Grant: Establishing the center for sustaining agriculture and natural resources, and the food and environmental quality laboratory as research and extension programs

of Washington State University. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: That Substitute House Bill No. 1426 be substituted therefore, and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Minority Member; P. Johnson, Assistant Ranking Minority Member; Chandler; Grant; R. Johnson; Lisk; McLean; Rasmussen; and Roland.

Excused: Representatives Kremen; Lisk; and Rasmussen.

Referred to Committee on Appropriations.

February 6, 1991

HB 1560 Prime Sponsor, Representative Appelwick: Changing provisions relating to orders for protection and antiharassment orders. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1560 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

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

Passed to Committee on Rules for second reading.

February 6, 1991

HB 1690 Prime Sponsor, Representative Riley: Changing juvenile disposition standards. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representative Belcher.

Referred to Committee on Appropriations.

## MOTION

On motion of Mr. Dorn, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker (Mr. R. Meyers presiding) called the House to order.

Ms. H. Sommers appeared at the bar of the House.

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

## INTRODUCTION AND FIRST READING

HCR 4409 by Representatives O'Brien, Wineberry, Locke, Prince, Phillips, Kremen, Day, Jones, Ballard, Anderson, Hine, Wang, Ebersole, Rasmussen, Jacobsen, Orr, Hargrove, Basich, Sheldon, Ludwig, Roland, R. Meyers, R. King, Morris, H. Myers, Bray, Valle, Grant, Spanel, R. Fisher, Pruitt, Fraser and Riley

Acknowledging Senator George Fleming upon his retirement from the legislature.

## MOTIONS

On motion of Mr. Ebersole, the rules were suspended and House Concurrent Resolution No. 4409 was advanced to second reading and read the second time in full.

With consent of the House, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives O'Brien and Wineberry spoke in favor of the resolution.

House Concurrent Resolution No. 4409 was adopted.

The Speaker (Mr. R. Meyers presiding) called on Mr. O'Brien to preside.

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

## SECOND READING

HOUSE BILL NO. 1013, by Representatives Zellinsky, Ferguson, Haugen, Horn, Roland, Wood and Mitchell.

Changing provisions relating to newly incorporated cities and towns.

The bill was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Zellinsky spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1013, and the bill passed the House by the following vote: Yeas - 92, Nays - 0, Absent - 1, Excused - 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Loven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky - 92.

Absent: Representative Riley - 1.

Excused: Representatives Jacobsen, Locke, Sheldon, Wood, and Mr. Speaker - 5.

House Bill No. 1013, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 1071 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1096, by Representatives Winsley, Nelson, Ballard, Wineberry, Mitchell, Franklin, Leonard, Ogden, Riley, Roland, Jones and Sheldon

Increasing the fine for failing to install smoke detectors.

The bill was read the second time. Committee on Housing recommendation: Majority, do pass as amended. (For committee amendment, see Journal, January 31, 1991.)

Mr. Nelson moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Winsley and Orr spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1096, and the bill passed the House by the following vote: Yeas - 92, Nays - 0, Absent - 1, Excused - 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Loven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky - 92.

Absent: Representative Riley - 1.

Excused: Representatives Jacobsen, Locke, Sheldon, Wood, and Mr. Speaker - 5.

Engrossed House Bill No. 1096, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1109, by Representatives Jones, Peery, Brough, Jacobsen, Miller, Brumsickle, Rasmussen, Betrozoff, Pruitt, G. Fisher, Phillips, Valle, Holland, Dorn, Roland, Dellwo, Braddock, Cole, Sprenkle, R. King, Winsley, Ferguson, Riley, Vance, Wineberry, Scott, Broback, Leonard, R. Johnson, Ludwig, Silver, H. Myers, Cooper and Brekke

Creating a task force on children of substance abusers.

The bill was read the second time. On motion of Mr. Dorn, Substitute House Bill No. 1109 was substituted for House Bill No. 1109, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1109 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Jones and Brough spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1109, and the bill passed the House by the following vote: Yeas - 92, Nays - 0, Absent - 1, Excused - 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky - 92.

Absent: Representative Riley - 1.

Excused: Representatives Jacobsen, Locke, Sheldon, Wood, and Mr. Speaker - 5.

Substitute House Bill No. 1109, having received the constitutional majority, was declared passed.

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

RESOLUTION

HOUSE RESOLUTION NO. 91-4615, by Representatives Ferguson, Van Luven, Miller, Ballard, Betrozoff, Hargrove, Silver, R. Meyers, Prentice, D. Sommers, Moyer, Winsley, Tate, Nealey, Fuhrman, Morton, Neher, Paris, Horn, Edmondson, Wynne, Vance, Chandler and Bowman

WHEREAS, On January 19, 1991, Val Saint was named "Citizen of the Year" in Redmond, Washington, by the Redmond Chamber of Commerce; and

WHEREAS, Twelve years ago Val Saint was forced to leave his native Romania after years of government persecution for his Christian faith; and

WHEREAS, During his time in America Val Saint, his wife Veronica, daughters Olympia and Simona, and son David have become extremely hard working and respected citizens of the United States of America; and

WHEREAS, Val Saint recently observed, in the "20/20" television program, inhuman conditions endured by Romanian children, many of them handicapped, during the twenty-four year reign of Nicolae Ceasescu and since; and

WHEREAS, Because they were deeply moved to do something about these atrocities, Val Saint and his family sold their large new home and purchased a much more modest one, using the proceeds from the sale to set up a fund, administered by the "Mission to Unreached People," to build an orphanage in Romania for these children; and

WHEREAS, Since becoming aware of the critical needs of "nobody's children" in Romania, Val Saint has taken three trips to Romania at his own

expense to deliver donated food, medical supplies, clothing, and blankets to the children, and he continues his mission; and

WHEREAS, Val Saint is a caring, compassionate, highly motivated person with a belief in the good of people, who has, by his example and that of his family, become an inspiration to us all;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognizes and honors Val Saint as a true humanitarian; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Val Saint and Veronica Saint, and to Redmond Mayor Doreen Marchione.

Mr. Ferguson moved adoption of the resolution. Representatives Ferguson, Van Luven and Ballard spoke in favor of the resolution.

House Resolution No. 91-4615 was adopted.

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

#### MOTION

On motion of Mr. Dorn, the House adjourned until 10:00 a.m., Monday, February 11, 1991.

ALAN THOMPSON, Chief Clerk

JOSEPH E. KING, Speaker

**TWENTY-NINTH DAY**

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**MORNING SESSION**

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House Chamber, Olympia, Monday, February 11, 1991

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Appelwick, Locke and Morris. On motion of Mr. Orr, Representatives Appelwick and Locke were excused.

The flag was escorted to the rostrum by Eagle Scout Michael Kovis, Blue Mountain Council, and Eagle Scout James J. Johnston, Evergreen Area Council. Prayer was offered by Father William Sullivan of Seattle University.

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

**MESSAGE FROM THE SENATE**

February 8, 1991

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5009,  
 SUBSTITUTE SENATE BILL NO. 5031,  
 SENATE BILL NO. 5041,  
 SENATE BILL NO. 5047,  
 SENATE BILL NO. 5075,  
 SENATE BILL NO. 5109,

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

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

**INTRODUCTIONS AND FIRST READING**

HB 1781 by Representatives Bowman, Riley, R. Meyers, Hargrove, Tate, D. Sommers and Brumsickle

AN ACT Relating to paternity actions; adding a new section to chapter 26.26 RCW; and adding a new section to chapter 74.12 RCW.

Referred to Committee on Judiciary.

**HB 1782** by Representative Appelwick

AN ACT Relating to county court commissioners; amending RCW 2.24.010, 26.12.050, 26.12.060, 71.05.135, and 71.05.137; and providing a contingent effective date.

Referred to Committee on Judiciary.

**HB 1783** by Representative Appelwick

AN ACT Relating to judges pro tempore; amending RCW 2.08.180; and providing a contingent effective date.

Referred to Committee on Judiciary.

**HB 1784** by Representative Appelwick

AN ACT Relating to judges pro tempore; amending RCW 2.08.180; and providing a contingent effective date.

Referred to Committee on Judiciary.

**HB 1785** by Representative Appelwick

AN ACT Relating to creation of a study group to recommend statutory exceptions to the state preemption of local criminal penalties; and creating a new section.

Referred to Committee on Judiciary.

**HB 1786** by Representative Appelwick

AN ACT Relating to mandatory arbitration; reenacting and amending RCW 7.06.020; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

**HB 1787** by Representatives Appelwick and Jacobsen

AN ACT Relating to anatomical gifts; amending RCW 46.20.113, 68.50.106, 68.50.280, and 68.50.500; adding new sections to chapter 68.50 RCW; repealing RCW 68.50.340, 68.50.350, 68.50.360, 68.50.370, 68.50.380, 68.50.390, 68.50.400, 68.50.410, and 68.50.420; and prescribing penalties.

Referred to Committee on Health Care.

**HB 1788** by Representatives Morton, Peery, Chandler, Orr, Lisk, Inslee, Silver, Locke, McLean, Bowman, Mielke, Brumsickle, Edmondson, Fuhrman, Ballard, Vance, Basich, Brough, Nealey, Wynne, Sheldon, P. Johnson and H. Myers

AN ACT Relating to providing state funding assistance to school districts with student populations of two thousand or less located in distressed areas; adding a new section to chapter 28A.150 RCW; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 1789 by Representatives Braddock, Paris and Prentice

AN ACT Relating to limitations on filling prescriptions written by authorized prescribers not licensed in this state; amending RCW 69.41.030; and declaring an emergency.

Referred to Committee on Health Care.

HB 1790 by Representatives Betrozoff, R. Fisher, Jones, Morris, Spanel, Holland, Ludwig, Grant, Fraser, Forner, Horn, Mitchell, Chandler, Winsley, Edmondson, D. Sommers, Paris, Jacobsen, Brough, Brumsickle and Moyer

AN ACT Relating to vehicle headlights; and amending RCW 46.37.020.

Referred to Committee on Transportation.

HB 1791 by Representatives D. Sommers, Mielke, Tate, Padden, Moyer and Paris

AN ACT Relating to purchases of equipment from a county road fund or equipment rental and revolving fund; and amending RCW 36.82.130.

Referred to Committee on Local Government.

HB 1792 by Representatives Brekke, R. King and Leonard

AN ACT Relating to budgets submitted by the governor; and adding new sections to chapter 43.88 RCW.

Referred to Committee on Appropriations.

HB 1793 by Representatives Jacobsen, Appelwick, R. Johnson, Wineberry, Pruitt, Brekke and Anderson

AN ACT Relating to a hearing-impaired demographical study; creating new sections; and making an appropriation.

Referred to Committees on Human Services/Appropriations.

HB 1794 by Representatives Bray, Mitchell, Haugen and Ferguson

AN ACT Relating to public hospital districts; amending RCW 70.44.040; and creating a new section.

Referred to Committee on Local Government.

HB 1795 by Representatives Prentice, Moyer, Rayburn, Franklin, Jones, Grant, Sheldon, Braddock, Ballard, Morton, Mielke, Bray, Haugen, Chandler, Prince, H. Myers, Hargrove, Edmondson, Fuhrman, Ludwig, Sprenkle, Winsley, Lisk, Paris, Basich, Nealey, Orr, Inslee, Rasmussen, Phillips and Spanel

AN ACT Relating to rural hospital services; and creating new sections.

Referred to Committee on Health Care.

HB 1796 by Representatives Belcher, Fraser, Locke, Dellwo, Bowman, Basich, Riley, Zellinsky, Ebersole, Orr, Inslee, Sheldon, Rasmussen, Ogden, Spanel, R. King, H. Myers, O'Brien, Sprenkle and Anderson

AN ACT Relating to health care benefits for retired and disabled state, local government, and common school employees; amending RCW 41.05.080 and 41.05.080; creating new sections; and providing an effective date.

Referred to Committee on Health Care.

HB 1797 by Representative Appelwick

AN ACT Relating to the Uniform Commercial Code; amending RCW 62A.1-105, 62A.1-201, and 62A.9-113; and adding a new Article to Title 62A RCW.

Referred to Committee on Judiciary.

HB 1798 by Representatives R. Meyers, R. King, Ferguson, Rasmussen, Van Luven, Orr, Dorn, Brumsickle, Paris, May and Wilson

AN ACT Relating to a sporting dog training area; creating new sections; and making an appropriation.

Referred to Committee on Fisheries & Wildlife.

HB 1799 by Representatives Betrozoff, Valle, Horn, Chandler and R. Fisher

AN ACT Relating to a study of licenses for recreational vehicle drivers; and creating a new section.

Referred to Committee on Transportation.

HB 1800 by Representatives Fraser, Ballard, Van Luven, Ebersole, Anderson, McLean, Jacobsen, Cantwell, Ferguson, Belcher, Rasmussen, Wang, Locke, Winsley, Paris, Phillips and Wineberry

AN ACT Relating to international relations and protocol; amending RCW 43.31.145; adding a new chapter to Title 43 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on State Government.

HB 1801 by Representatives R. Fisher, Cooper, R. Johnson, Betrozoff, Kremen, Schmidt, Zellinsky and Winsley; by request of Legislative Transportation Committee

AN ACT Relating to disposition of drivers' license fees; and amending RCW 46.68.041.

Referred to Committees on Transportation/Revenue.

HB 1802 by Representatives Cooper, Betrozoff, Zellinsky, Schmidt, Kremen and Basich; by request of Legislative Transportation Committee

AN ACT Relating to traffic safety programs; and amending RCW 43.08.250.

Referred to Committee on Transportation.

HB 1803 by Representatives Cooper, Betrozoff, Schmidt, R. Johnson, Zellinsky, R. Fisher, Winsley, Brough and Forner; by request of Legislative Transportation Committee

AN ACT Relating to vehicle and driver's licenses; and amending RCW 46.16.040 and 46.20.091.

Referred to Committee on Transportation.

HB 1804 by Representatives Zellinsky, Broback, R. Johnson, Winsley, Paris, Day, Dorn, Schmidt, Mielke, May, Chandler, Beck and Holland

AN ACT Relating to insurance rates; and amending RCW 48.19.030.

Referred to Committee on Financial Institutions & Insurance.

HB 1805 by Representatives R. Meyers, R. Fisher and Cooper

AN ACT Relating to enforcement of commercial vehicle weight limits; amending RCW 46.44.105; creating new sections; prescribing penalties; making appropriations; providing an expiration date; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 1806 by Representatives R. Meyers, Winsley and R. Johnson

AN ACT Relating to junk vehicles; and amending RCW 46.55.010.

Referred to Committee on Transportation.

HB 1807 by Representatives Appelwick, Winsley, D. Sommers, Paris, Miller, Riley, Brough, Silver, Forner, Holland, Broback, Fraser and Moyer

AN ACT Relating to service of summons by publication for collection of child support; and amending RCW 4.28.100.

Referred to Committee on Judiciary.

HB 1808 by Representatives Wineberry, Miller, Wood, Belcher, Rasmussen, Forner, H. Myers, R. King, Silver, Leonard, Fraser, Winsley, Phillips and Mitchell; by request of Dept. of Trade and Economic Development

AN ACT Relating to the child care facility fund; and amending RCW 43.31.502.

Referred to Committee on Trade & Economic Development.

HB 1809 by Representatives R. King, Wilson, Nelson and R. Fisher

AN ACT Relating to gambling; amending RCW 9.46.285 and 9.46.295; and repealing RCW 9.46.113.

Referred to Committee on Commerce & Labor.

HB 1810 by Representatives R. Fisher, H. Sommers, Schmidt, R. Meyers, Betrozoff, Dellwo, Winsley, Paris, Basich, Jacobsen, Forner and Rasmussen; by request of Washington State Patrol

AN ACT Relating to state general obligation bonds to finance the state patrol headquarters construction project; adding a new chapter to Title 43 RCW; and declaring an emergency.

Referred to Committees on Transportation/Capital Facilities & Financing.

HB 1811 by Representatives Valle, Neher, Cole, R. Johnson, Ebersole, Jones, Orr, Sheldon, Rasmussen, Franklin, Brumsickle, Hine and O'Brien; by request of Superintendent of Public Instruction

AN ACT Relating to student motivation programs; amending RCW 28A.175.010; adding new sections to chapter 28A.175 RCW; repealing RCW 28A.175.060 and 28A.175.080; making an appropriation; and declaring an emergency.

Referred to Committees on Education/Appropriations.

HB 1812 by Representatives Riley, Brumsickle, Sheldon, Rasmussen and Cooper

AN ACT Relating to stewardship assistance for owners of nonindustrial forests and woodlands; and adding a new chapter to Title 76 RCW.

Referred to Committee on Natural Resources & Parks.

HB 1813 by Representatives Peery, Betrozoff, Phillips, Jacobsen, Ebersole, Orr, Rasmussen, Ogden, Franklin, Cooper, Hine, H. Myers and O'Brien; by request of Superintendent of Public Instruction and Board of Education

AN ACT Relating to K-12 education personnel training and recruitment; amending RCW 28A.415.010 and 28A.405.450; adding new sections to chapter 28A.415 RCW; creating new sections; recodifying RCW 28A.305.260, 28A.305.270, and 28A.405.450; repealing RCW 28A.410.140 and 28A.625.420; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 1814 by Representatives Edmondson, Horn, Wilson, Franklin, Morton, Prentice, Winsley, Wood, D. Sommers, Bowman, Miller, Brough, Silver, Forner, Wynne, Wineberry, Tate, Mitchell, Chandler, P. Johnson, Casada and Moyer

AN ACT Relating to scholarships for child care workers; adding a new chapter to Title 28B RCW; creating a new section; and making an appropriation.

Referred to Committees on Higher Education/Appropriations.

HB 1815 by Representatives Heavey, Ballard, Haugen, Lisk, Cantwell, Edmondson, Rasmussen, Belcher, Spanel, Fuhrman, Winsley, Morris, Silver, Cole, May, Prentice, Grant, D. Sommers, Paris, Forner, Horn, Chandler, Casada and Moyer

AN ACT Relating to pawnbrokers and second-hand dealers; amending RCW 19.60.010, 19.60.020, 19.60.040, 19.60.045, 19.60.050, 19.60.055, 19.60.060, 19.60.061, 19.60.062, and 19.60.066; adding a new section to chapter 19.60 RCW; and adding a new section to chapter 10.19 RCW.

Referred to Committee on Commerce & Labor.

HB 1816 by Representatives Nelson, R. Fisher, Cantwell, Betrozoff, Heavey, Phillips and Prentice

AN ACT Relating to long-term transportation planning; amending RCW 36.79.080, 36.81.121, 47.05.030, 47.26.084, and 47.26.220; and adding a new chapter to Title 47 RCW.

Referred to Committee on Transportation.

HB 1817 by Representatives Rasmussen, Belcher, Haugen, Rayburn, Chandler, McLean, Fraser, Grant, Roland, Kremen, Betrozoff, Sheldon, Ferguson, Riley, Forner, P. Johnson, Cantwell, Jacobsen, Ludwig, Anderson, Spanel, Brumsickle, Vance, Nealey, Zellinsky, Dorn, Brough, Franklin, Orr, Hargrove, O'Brien, Wang, Jones, Peery, G. Fisher, Fuhrman, Broback, Holland, Phillips, May, Winsley, Edmondson, D. Sommers, Bowman, Paris, Basich, Wynne, Heavey, Ogden, Morris, Wineberry, Tate, Mitchell, Horn, Moyer, Sprenkle and Brekke

AN ACT Relating to current uses classification of wetlands; and amending RCW 82.45.120, 84.34.020, 84.34.030, 84.34.037, 84.34.060, 84.34.080, 84.34.108, 84.34.145, 84.34.210, 84.34.220, and 84.48.075.

Referred to Committees on Natural Resources & Parks/Revenue.

HB 1818 by Representatives Locke, Prince, H. Sommers, Ferguson, Betrozoff and Wineberry; by request of State Convention and Trade Center and Office of Financial Management

AN ACT Relating to the state convention and trade center; amending RCW 67.40.045 and 67.40.090; amending 1990 c 181 s 4 (uncodified); making an appropriation; and declaring an emergency.

Referred to Committee on Capital Facilities & Financing.

HB 1819 by Representatives Zellinsky, R. Fisher, Wilson, Schmidt, Haugen and Betrozoff; by request of Legislative Transportation Committee

AN ACT Relating to regulation of steamboat operators; amending RCW 47.60.120, 81.84.010, 81.84.020, and 81.84.030; and adding new sections to chapter 81.84 RCW.

Referred to Committee on Transportation.

HB 1820 by Representatives R. Fisher, Schmidt and Zellinsky

AN ACT Relating to a tax on the rental of fleet vehicles; amending RCW 82.44.010; and adding a new section to chapter 82.08 RCW.

Referred to Committee on Transportation.

HB 1821 by Representatives R. Meyers, Ferguson, Schmidt, Zellinsky, Sheldon, Winsley, D. Sommers, Bowman, Paris, Miller, Riley, R. Johnson, Brough, Silver, Roland, Cooper, Horn, Chandler and Moyer

AN ACT Relating to the fraudulent installation of fire protection sprinkler systems; adding a new section to chapter 9.45 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1822 by Representatives Basich, Hargrove, Riley, Winsley, Edmondson, Jones, Zellinsky, Roland, Orr, Rasmussen, Brumsickle, Horn and Casada

AN ACT Relating to fishing licenses for persons sixty-five years of age; and amending RCW 75.25.015, 75.25.040, 75.25.090, 75.25.100, 75.25.110, and 75.25.126.

Referred to Committees on Fisheries & Wildlife/Revenue.

HB 1823 by Representatives Belcher, Beck, Spanel, Haugen, Miller, Phillips, R. King and Sprengle; by request of Commissioner of Public Lands and Governor Gardner

AN ACT Relating to forest lands; amending RCW 76.09.050, 76.09.060, 43.21C.037, 76.09.020, 76.09.040, 76.09.070, 90.58.150, 4.24.210, 7.48.300, 7.48.305, 7.48.310, 76.09.330, 84.33.100, 84.34.300, 84.34.310, 84.34.320, 84.34.330, 84.34.340, 84.34.360, 84.34.370, 84.34.380, 76.09.240, 76.09.170, 76.09.180, 76.09.230, 76.09.080, and 76.04.005; adding a new section to chapter 76.01 RCW; adding new sections to chapter 76.09 RCW; adding a new section to chapter 82.45 RCW; adding new sections to chapter 84.33 RCW; adding a new chapter to Title 76 RCW; creating new sections; prescribing penalties; making appropriations; providing an expiration date; providing an effective date; and declaring an emergency.

Referred to Committee on Natural Resources & Parks.

HB 1824 by Representative Appelwick

AN ACT Relating to district court jurisdiction; amending RCW 3.66.020, 10.14.150, 60.10.020, 60.11.060, 4.24.130, and 2.24.040; and providing a contingent effective date.

Referred to Committee on Judiciary.

HB 1825 by Representative Appelwick

AN ACT Relating to mandatory arbitration; and reenacting and amending RCW 7.06.020.

Referred to Committee on Judiciary.

HB 1826 by Representatives Sprengle, Prentice, Belcher, Brekke, Rust, Cole, Pruitt, Jones, Roland and Spanel

AN ACT Relating to waste reduction; and adding a new chapter to Title 70 RCW.

Referred to Committee on Environmental Affairs.

HB 1827 by Representative Haugen

AN ACT Relating to local government bond and tax levy elections; amending RCW 42.17.390; and adding a new section to chapter 4.16 RCW.

Referred to Committee on Local Government.

HB 1828 by Representative Appelwick

AN ACT Relating to the uniform health care information act; adding a new section to chapter 42.17 RCW; adding a new chapter to Title 70 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Health Care.

HB 1829 by Representatives Appelwick, Wang, Inslee, Wineberry and Anderson

AN ACT Relating to the jury source list; creating a new section; and making an appropriation.

Referred to Committees on Judiciary/Appropriations.

HB 1830 by Representatives H. Myers, Riley, Padden, Appelwick, Cooper, Winsley, D. Sommers, Bowman, Paris, Miller, R. Johnson, Brough, Silver, Forner, Ebersole, Fuhrman, Rasmussen, Brumsickle and Moyer

AN ACT Relating to admissibility of children's statements; amending RCW 9A.44.120; and creating a new section.

Referred to Committee on Judiciary.

HJM 4008 by Representatives R. King, Hochstatter, Cole, Orr, Haugen, Basich, Wilson, Spanel, Fuhrman, Padden, Winsley, D. Sommers, Bowman, Paris, May, Miller, Riley, Brough, Silver, Nealey, Forner, Wynne, Sheldon, Fraser, Phillips, Jones, Brumsickle, Nelson, Neher, Horn, Casada, H. Myers, Leonard, Moyer, Sprenkle, Brekke and Anderson

Requesting Congress and the President to ban driftnets.

Referred to Committee on Fisheries & Wildlife.

HJR 4218 by Representative Appelwick

Amending the Constitution as to the allowable number of county court commissioners.

Referred to Committee on Judiciary.

HJR 4219 by Representative Appelwick

Amending the Constitution about judges pro tempore.

Referred to Committee on Judiciary.

HJR 4220 by Representative Appelwick

Amending the Constitution to allow retired judges to be judges pro tempore.

Referred to Committee on Judiciary.

HJR 4221 by Representative Appelwick

Amending the Constitution to authorize the legislature to determine certain aspects of superior court jurisdiction by a two-thirds vote.

Referred to Committee on Judiciary.

SB 5009 by Senators Barr, Newhouse, Bailey, Anderson and Hansen

Changing record keeping and posting requirements for pesticide use.

Referred to Committees on Agriculture & Rural Development/Commerce & Labor.

SSB 5031 by Committee on Law & Justice (originally sponsored by Senators Nelson, Madsen, Thorsness, Talmadge, Rasmussen, Oke, Gaspard, A. Smith, Snyder, Wojahn and Johnson; by request of Attorney General)

Creating a crime stoppers assistance office.

Referred to Committees on Judiciary/Appropriations.

SB 5041 by Senators Sellar, Owen, Patterson, West, Vognild, Bauer and Thorsness

Permitting motorcyclists to use Washington state patrol approved audio headsets and earphones.

Referred to Committee on Transportation.

SB 5047 by Senators Bauer, McCaslin, Sutherland, L. Smith, Moore, Snyder, Niemi and Wojahn

Designating a state tartan.

Referred to Committee on State Government.

SB 5075 by Senators Nelson, Talmadge, von Reichbauer, Erwin and Skratek

Creating a committee to study the Washington condominium act.

Referred to Committee on Judiciary.

SB 5109 by Senators West, Amondson, Moore, Stratton, McCaslin and L. Kreidler

Removing the six-month limit on filling prescriptions written by an authorized prescriber not licensed by this state.

Referred to Committee on Health Care.

#### MOTION

On motion of Mr. Ebersole, the bills, memorial and resolutions listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

#### REPORTS OF STANDING COMMITTEES

February 6, 1991

HB 1039 Prime Sponsor, Representative Ebersole: Creating a work force training and education coordinating board, and combining community and vocational-technical schools under one agency. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute House Bill No. 1039 be substituted therefor, and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Basich; Dellwo; Fraser; Ludwig; Prince; Sheldon; and Spanel.

MINORITY recommendation: Do not pass. Signed by Representatives Miller and Van Luven.

Passed to Committee on Rules for second reading.

February 6, 1991

HB 1053 Prime Sponsor, Representative Leonard: Concerning foster family home licenses. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Hargrove; Hochstatter; R. King; and H. Myers.

Excused: Representative Brekke.

Passed to Committee on Rules for second reading.

February 7, 1991

HB 1116 Prime Sponsor, Representative R. Meyers: Authorizing alternative forms of financial responsibility. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representatives R. Meyers, Vice Chair; G. Fisher; Heavey; R. Johnson; Prince; and Wood.

Passed to Committee on Rules for second reading.

February 6, 1991

HB 1127 Prime Sponsor, Representative Sheldon: Adding superior court judge positions. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1127 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representatives Belcher and Locke.

Referred to Committee on Appropriations.

February 7, 1991

HB 1128 Prime Sponsor, Representative R. Fisher: Concerning high occupancy vehicle violations. Reported by Committee on Transportation

**MAJORITY recommendation:** Do with the following amendments:

On page 1, after line 12, insert the following:

"Sec. 2. RCW 46.52.100 and 1987 c 3 s 18 are each amended to read as follows:

Every district court, municipal court, and clerk of superior court shall keep or cause to be kept a record of every traffic complaint, traffic citation, notice of infraction, or other legal form of traffic charge deposited with or presented to the court or a traffic violations bureau, and shall keep a record of every official action by said court or its traffic violations bureau in reference thereto, including but not limited to a record of every conviction, forfeiture of bail, judgment of acquittal, finding that a traffic infraction has been committed, dismissal of a notice of infraction, and the amount of fine, forfeiture, or penalty resulting from every said traffic complaint, citation, or notice of infraction deposited with or presented to the district court, municipal court, superior court, or traffic violations bureau.

The Monday following the conviction, forfeiture of bail, or finding that a traffic infraction was committed for violation of any provisions of this chapter or other law regulating the operating of vehicles on highways, every said magistrate of the court or clerk of the court of record in which such conviction was had, bail was forfeited, or the finding made shall prepare and immediately forward to the director of licensing at Olympia an abstract of the record of said court covering the case, which abstract must be certified by the person so required to prepare the same to be true and correct. Report need not be made of any finding involving the illegal parking or standing of a vehicle or improper use of a designated high-occupancy vehicle lane or ramp under RCW 46.61.165.

Said abstract must be made upon a form furnished by the director and shall include the name and address of the party charged, the number, if any, of the party's driver's or chauffeur's license, the registration number of the vehicle involved, the nature of the offense, the date of hearing, the plea, the judgment, whether bail forfeited, whether the determination that a traffic infraction was committed was contested, and the amount of the fine, forfeiture, or penalty as the case may be.

Every court of record shall also forward a like report to the director upon the conviction of any person of manslaughter or other felony in the commission of which a vehicle was used.

The failure of any such judicial officer to comply with any of the requirements of this section shall constitute misconduct in office and shall be grounds for removal therefrom.

The director shall keep all abstracts received hereunder at the director's office in Olympia and the same shall be open to public inspection during reasonable business hours.

Venue in all district courts shall be before one of the two nearest district judges in incorporated cities and towns nearest to the point the violation allegedly occurred: PROVIDED, That in counties of class A and of the first class such cases may be tried in the county seat at the request of the defendant.

It shall be the duty of the officer, prosecuting attorney, or city attorney signing the charge or information in any case involving a charge of driving under the influence of intoxicating liquor or any drug immediately to make request to the director for an abstract of convictions and forfeitures which the director shall furnish.

Sec. 3. RCW 46.52.130 and 1989 c 178 s 24 are each amended to read as follows: A certified abstract of the driving record shall be furnished only to the individual named in the abstract, an employer, the insurance carrier that has insurance in effect covering the employer or a prospective employer, the insurance carrier that has insurance in effect covering the named individual, the insurance carrier to which the named individual has applied, or an alcohol/drug assessment or treatment agency approved by the department of social and health services, to which the named individual has applied or been assigned for evaluation or treatment. City attorneys and county prosecuting attorneys may provide

the driving record to alcohol/drug assessment or treatment agencies approved by the department of social and health services to which the named individual has applied or been assigned for evaluation or treatment. The director, upon proper request, shall furnish a certified abstract covering the period of not more than the last three years to insurance companies, and covering a period of not more than the last five years to state approved alcohol/drug assessment or treatment agencies. A certified abstract of the full driving record maintained by the department shall be furnished to individuals and employers or prospective employers. The abstract, whenever possible, shall include an enumeration of motor vehicle accidents in which the person was driving; the total number of vehicles involved; whether the vehicles were legally parked or moving; whether the vehicles were occupied at the time of the accident; any reported convictions, forfeitures of bail, or findings that an infraction was committed based upon a violation of any motor vehicle law; and the status of the person's driving privilege in this state. The enumeration shall include any reports of failure to appear in response to a traffic citation or failure to respond to a notice of infraction served upon the named individual by an arresting officer.

The abstract provided to the insurance company shall exclude any information pertaining to improper use of a designated high-occupancy vehicle lane or ramp under RCW 46.61.165 or to law enforcement officers or fire fighters as defined in RCW 41.26.030, or any member of the Washington state patrol, while driving official vehicles in the performance of occupational duty during an emergency situation if the chief of the officer's or fire fighter's department certifies on the accident report that the actions of the officer or fire fighter were reasonable under the circumstances as they existed at the time of the accident.

The director shall collect for each abstract the sum of four dollars and fifty cents which shall be deposited in the highway safety fund.

Any insurance company or its agent receiving the certified abstract shall use it exclusively for its own underwriting purposes and shall not divulge any of the information contained in it to a third party. No policy of insurance may be canceled, nonrenewed, denied, or have the rate increased on the basis of such information unless the policyholder was determined to be at fault. No insurance company or its agent for underwriting purposes relating to the operation of commercial motor vehicles may use any information contained in the abstract relative to any person's operation of motor vehicles while not engaged in such employment, nor may any insurance company or its agent for underwriting purposes relating to the operation of noncommercial motor vehicles use any information contained in the abstract relative to any person's operation of commercial motor vehicles.

Any employer or prospective employer receiving the certified abstract shall use it exclusively for his own purpose to determine whether the licensee should be permitted to operate a commercial vehicle or school bus upon the public highways of this state and shall not divulge any information contained in it to a third party.

Any alcohol/drug assessment or treatment agency approved by the department of social and health services receiving the certified abstract shall use it exclusively for the purpose of assisting its employees in making a determination as to what level of treatment, if any, is appropriate. The agency, or any of its employees, shall not divulge any information contained in the abstract to a third party.

Any violation of this section is a gross misdemeanor.

In line 1 of the title, after "vehicles;" insert "amending RCW 46.52.100 and 46.52.130;"

Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority

Member; Basich; Cantwell; Cooper; Day; G. Fisher; Former; Haugen; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

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

Excused: Representatives G. Fisher; Heavey; Prince; and Wood.

Passed to Committee on Rules for second reading.

February 6, 1991

HB 1166 Prime Sponsor, Representative Wineberry: Establishing a process for funding community-based child care services referral and resources programs. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Hargrove; R. King; and H. Myers.

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

Excused: Representative Brekke.

Referred to Committee on Appropriations.

February 6, 1991

HB 1167 Prime Sponsor, Representative Wineberry: Addressing hunger and nutritional problems. Reported by Committee on Human Services.

MAJORITY recommendation: That Substitute House Bill No. 1167 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Hargrove; R. King; and H. Myers.

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

Excused: Representative Brekke.

Referred to Committee on Appropriations.

February 7, 1991

HB 1173 Prime Sponsor, Representative Cole: Requiring safety enhancements for student transportation. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 6, after "Sec. 6" strike all language down to and including "act." on line 14 and insert:

"If specific funding for this act, referencing this act by bill number, is not provided in the omnibus operating or capital budget for the 1991-93 biennium by June 30, 1991, this act shall be null and void."

On page 1, line 2 of the title, after "46.37 RCW;" insert "and" and after "sections" strike "; and making appropriations"

Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betrozoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Referred to Committee on Appropriations.

February 8, 1991

HB 1179 Prime Sponsor, Representative Vance: Analyzing the use of compressed natural gas for school bus fuel. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 8, after "gas" insert "or other alternative fuels"

On page 1, line 12, after "gas" insert "or other alternative fuels"

On page 2, line 6, after "gas" insert "or other alternative fuels"

On page 2, line 8, after "gas" insert "and other available alternative fuels"

On page 2, line 11, after "gas" insert "or other alternatively fueled"

On page 2, line 13, after "gas" insert "or other alternatively fueled"

On page 2, line 17, after "gas" insert "or other alternatively fueled"

On page 2, line 23, after "gas" insert "or other alternative fuels"

On page 2, line 24, after "education" insert "and energy and utilities"

On page 2, line 25, after "senate" insert "and the Washington 2000 project"

Signed by Representatives Grant, Chair; May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Bray; Casada; Cooper; R. Fisher; Miller; and Rayburn.

Excused: Representatives H. Myers, Vice Chair; and Jacobsen.

Referred to Committee on Appropriations.

February 6, 1991

HB 1436 Prime Sponsor, Representative Moyer: Establishing grant standards for income assistance programs as a percentage of the standard of need. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Hargrove; Hochstatter; R. King; and H. Myers.

Excused: Representative Brekke.

Referred to Committee on Appropriations.

February 8, 1991

HB 1642 Prime Sponsor, Representative Fraser: Modifying the definition of disposable income for senior citizen tax relief. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; Silver; and Van Luven.

Excused: Representative Appelwick.

Passed to Committee on Rules for second reading.

### MOTION

On motion of Mr. Ebersole, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

Representative Morris appeared at the bar of the House.

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

### SECOND READING

HOUSE BILL NO. 1071, by Representatives Anderson, McLean, R. Fisher, Moyer, Dorn, Chandler, Sheldon, Bowman, Winsley, Broback, Edmondson, Paris, Holland, D. Sommers, May, Wynne, Brumsickle, Nealey, Miller, P. Johnson, Casada, Wood, Forner and Mitchell

Changing provisions relating to elections.

The bill was read the second time.

Ms. Lisk moved adoption of the following amendments:

On page 2, line 15, after "election." strike all material through "(3)" on line 21, and insert the following:

"(3) If the number of persons whose names are on the official nomination list for a political party is not sufficient to satisfy the requirements of subsection (4) of this section as it applies to that political party or is otherwise insufficient to provide the number of precinct election officials required from that political party, the auditor shall notify the chair of the party's county central committee regarding the deficiency. The chair may, within five business days of being notified by the auditor, add to the party's nomination list the names of additional persons belonging to that political party who are qualified to serve on the election boards. To the extent that, following this procedure, the number of persons whose names appear on the official nomination lists of the political parties is insufficient to provide the number of election inspectors and judges required for a primary or election, the auditor may appoint a properly trained person whose name does not appear on such a list as an inspector or judge of election for a precinct.

(4)"

On page 3, line 1, strike "(4)" and insert "(5)"

Representatives Lisk and Anderson spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Anderson and McLean spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1071, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Appelwick, Locke - 02.

Engrossed House Bill No. 1071, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1400 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1400, by Representatives Morton, Grant, Fuhrman, Bray, Sprenkle, Morris, Chandler, Paris, Rasmussen, McLean, Forner and Rayburn; by request of Department of Health

Modifying grant criteria for rural health care projects.

The bill was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Morton and Moyer spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1400, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 1, Excused - 2.

Voting yea: Representatives Anderson, Ballard, Basich, Beck, Belcher, Berozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Hochstatter - 01.

Excused: Representatives Appelwick, Locke - 02.

House Bill No. 1400, having received the constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I missed a vote on House Bill No. 1400 to be with district people. Had I been able to, I would have voted "yes" on final passage of House Bill No. 1400.

HAROLD HOCHSTATTER, 13th District.

## MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 1120 and House Bill No. 1401 and that the bills hold their places on the second reading calendar. The motion was carried.

Representative Appelwick appeared at the bar of the House.

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

## RESOLUTION

HOUSE RESOLUTION NO. 91-4620, by Representatives Anderson, O'Brien, Zellinsky, Beck, Hine, Wineberry, Rasmussen, Heavey, H. Sommers, Leonard, Prentice, Phillips, Moyer and Roland

WHEREAS, Seattle University was founded in 1891 by two Jesuit priests; and  
WHEREAS, Seattle University is celebrating its centennial academic year in 1990-91; and

WHEREAS, Seattle University is the largest independent institution of higher education in the State of Washington, currently enrolling four thousand six hundred forty students; and

WHEREAS, Seattle University has both the highest number and the highest percentage of minority students among accredited independent four-year colleges and universities in the State of Washington; and

WHEREAS, Seattle University exemplifies the Jesuit tradition of academic excellence, education for values, and outstanding community service; and

WHEREAS, Seattle University's students and alumni are highly regarded for their voluntary service to the less privileged and through voluntary service to educational and human service organizations; and

WHEREAS, Seattle University's programs effectively combine education in the liberal arts with specific training for professional careers; and

WHEREAS, Seattle University has historically responded quickly to the changing needs of the community, most recently through development of an undergraduate program in environmental engineering and masters programs in teaching and in taxation; and

WHEREAS, Seattle University has over twenty-six thousand living alumni, including over twenty thousand in the State of Washington; and

WHEREAS, Many of Seattle University's alumni have served with vigor and honor as leaders in their communities; and

WHEREAS, Seattle University enters its second century clearly recognized and honored as one of the nation's outstanding metropolitan universities;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives salute and applaud Seattle University for attainment of its centennial; and

BE IT FURTHER RESOLVED, That the Washington State House of Representatives recognizes and honors Seattle University for its contribution to

the intellectual life and social fabric of the State over the past one hundred years; and

BE IT FURTHER RESOLVED, That the Washington State House of Representatives offers best wishes as Seattle University enters its second century.

Mr. Anderson moved adoption of the resolution. Representatives Anderson, Beck, Wineberry and Heavey spoke in favor of the resolution.

House Resolution No. 91-4620 was adopted.

#### SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced Father William Sullivan, President of Seattle University. Father Sullivan briefly addressed the members of the House of Representatives.

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

#### MOTION

On motion of Mr. Ebersole, the House adjourned until 12:00 Noon, Tuesday, February 12, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**THIRTIETH DAY**

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NOON SESSION

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House Chamber, Olympia, Tuesday, February 12, 1991

The House was called to order at 12:00 Noon by the Speaker (Mr. O'Brien presiding).

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

MESSAGES FROM THE SENATE

February 11, 1991

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5008,  
SUBSTITUTE SENATE BILL NO. 5027,  
SENATE BILL NO. 5037,  
SENATE BILL NO. 5068,  
SENATE BILL NO. 5104,  
SENATE BILL NO. 5141,  
SENATE BILL NO. 5371,

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

February 11, 1991

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4408,  
HOUSE CONCURRENT RESOLUTION NO. 4409,

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

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

INTRODUCTIONS AND FIRST READING

HB 1831 by Representatives Wang and Appelwick

AN ACT Relating to subjecting certain ownership changes to real estate excise taxation; amending RCW 82.45.010 and 82.45.035; and declaring an emergency.

Referred to Committee on Revenue.

HB 1832 by Representatives Wang and Appelwick

AN ACT Relating to insurance retaliatory provisions; and amending RCW 48.14.040.

Referred to Committee on Revenue.

HB 1833 by Representatives Wang and H. Sommers

AN ACT Relating to eliminating insurance premium tax credits; amending RCW 48.32A.090; repealing RCW 48.32.145; and declaring an emergency.

Referred to Committee on Revenue.

HB 1834 by Representatives Spanel, Day, Kremen, Braddock, Prentice, Anderson, Dellwo, Bowman, Winsley and Nelson

AN ACT Relating to directing the Washington state health care authority to study medical insurance coverage offered by public employers; creating new sections; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1835 by Representatives Kremen, Moyer, Orr, Dellwo, D. Sommers, Day, Morton, Silver, Mielke, Brough, Phillips, Rayburn, Winsley and Sheldon

AN ACT Relating to the board of industrial insurance appeals; and amending RCW 51.52.010.

Referred to Committees on Commerce & Labor/Appropriations.

HB 1836 by Representatives Belcher, Beck, Scott, Jacobsen, Phillips, Ferguson, Rasmussen, Fraser, Brumsickle, Sprengle, Rust, Spanel, Leonard, Holland, Dorn, Forner, Franklin, Roland, R. Johnson, R. Fisher, H. Myers, R. King, Wang, Winsley, Nelson, Brough and Anderson

AN ACT Relating to comprehensive river management; adding a new chapter to Title 43 RCW; repealing RCW 79.72.010, 79.72.020, 79.72.030, 79.72.040, 79.72.050, 79.72.060, 79.72.070, 79.72.080, 79.72.090, 79.72.100, and 79.72.900; and making an appropriation.

Referred to Committees on Natural Resources & Parks/Appropriations.

HB 1837 by Representatives Casada, Grant, May, Ludwig, Horn, Rayburn, Bray, Schmidt, Winsley, Betrozoff, Miller, Chandler, Hochstatter,

Paris, Beck, Prince, Franklin, Bowman, Edmondson, P. Johnson, Hargrove, Forner, Silver, Tate, Padden, Vance, Holland, Ballard, Van Luven, Wilson, Roland, Ferguson, Kremen, Mielke, Broback, Rasmussen, Orr, Fuhrman, Brough, Wineberry, Wynne, Sheldon and Moyer

AN ACT Relating to attorneys' fees, costs, and expenses awarded against the state; adding a new section to chapter 4.84 RCW; and creating new sections.

Referred to Committees on Judiciary/Appropriations.

HB 1838 by Representatives Dorn, Franklin, Zellinsky, Schmidt, Winsley, Braddock, Bowman, Brekke, Rasmussen, Neher, Wilson, Roland, Kremen, Rayburn, Edmondson, Nelson, Paris and Jones

AN ACT Relating to school district employees; and adding a new section to chapter 28A.400 RCW.

Referred to Committee on Appropriations.

HB 1839 by Representatives Day, D. Sommers, Braddock, Wilson, Ballard, R. Meyers, Dorn, Prince, Jones, Grant, Roland, Dellwo and Winsley

AN ACT Relating to determination of appropriate bargaining units; and amending RCW 41.56.060.

Referred to Committee on Commerce & Labor.

HB 1840 by Representatives Winsley and Wang

AN ACT Relating to property tax exemptions for senior citizens and disabled persons; amending RCW 84.36.381; and creating a new section.

Referred to Committee on Revenue.

HB 1841 by Representatives Leonard, Winsley, Cantwell, Hine, G. Fisher, Anderson, Nelson, Brekke, Roland, Rasmussen, Paris and Sheldon

AN ACT Relating to mobile homes; amending RCW 59.20.190, 59.21.010, 59.21.020, 59.21.050, and 59.21.110; adding new sections to chapter 59.21 RCW; creating a new section; recodifying RCW 59.20.190; repealing RCW 59.21.060; and prescribing penalties.

Referred to Committee on Housing.

HB 1842 by Representatives Sprenkle, Dorn, Peery and Winsley

AN ACT Relating to school employees health care; and amending RCW 28A.400.270 and 28A.400.280.

Referred to Committee on Appropriations.

HB 1843 by Representatives Leonard, Winsley, Dorn, Moyer, Rasmussen, Basich, Spanel, Pruitt, Haugen, Belcher, Phillips, Anderson, Heavey, Fraser, Roland, Cooper, Grant, Prentice, Wilson, R. King, Scott, Chandler, Nelson, R. Johnson, Wineberry, Sheldon and Jones

AN ACT Relating to services to children in poverty; adding new sections to chapter 43.36A; creating new sections; and making an appropriation.

Referred to Committees on Human Services/Appropriations.

HB 1844 by Representatives Tate, Heavey, Mielke, Van Luven and Wineberry

AN ACT Relating to concerts; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 1845 by Representatives Braddock, Franklin, Prentice, Cantwell, Leonard, Spanel and Wineberry

AN ACT Relating to enhancement of community-based long-term care and support services; amending RCW 74.09.510 and 74.09.700; reenacting and amending RCW 74.09.520; adding new sections to chapter 74.09 RCW; adding a new section to chapter 71A.12 RCW; creating new sections; making appropriations; and providing a contingent effective date.

Referred to Committee on Health Care.

HB 1846 by Representatives D. Sommers, Orr, Padden, Day, Mielke, Nealey, Morton, Silver, Chandler and Dellwo

AN ACT Relating to preservation of scenic beauty in highway project areas; and creating a new section.

Referred to Committee on Transportation.

HB 1847 by Representatives Van Luven, Grant, McLean, Sheldon, Tate, Ferguson, Bowman, Chandler and Paris

AN ACT Relating to administrative law judges; and amending RCW 42.18.221 and 34.12.050.

Referred to Committee on State Government.

HB 1848 by Representatives Scott, Ballard, Cooper, Padden, Ludwig, Basich, Inslee, Riley, Holland, H. Myers, Morris, Ebersole, Day, P.

Johnson, Sheldon, Neher, Fuhrman, Morton, Dellwo, Rayburn, Rasmussen, Chandler and Wineberry

AN ACT Relating to prosecuting attorneys; amending RCW 36.17.020; and creating new sections.

Referred to Committee on Appropriations.

HB 1849 by Representatives Day, Moyer, Sprenkle, Prentice and Paris; by request of Department of Health

AN ACT Relating to the board of medical examiners; amending RCW 18.71.015; and adding a new section to chapter 18.71 RCW.

Referred to Committee on Health Care.

HB 1850 by Representatives Wang and Holland; by request of Department of Wildlife and Office of Financial Management

AN ACT Relating to hunting and fishing licenses; amending RCW 77.32.101, 77.32.161, 77.32.191, 77.32.211, 77.32.230, 77.32.240, 77.32.256, 77.32.340, 77.32.350, 77.32.360, 77.32.370, and 77.32.380; adding a new section to chapter 77.32 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Revenue.

HB 1851 by Representatives Wang and Holland; by request of Department of Ecology and Office of Financial Management

AN ACT Relating to the department of ecology's fees and penalties concerning water rights; amending RCW 90.03.470, 90.03.471, and 90.03.600; adding a new section to chapter 90.03 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Revenue.

HB 1852 by Representatives Wang and Holland; by request of Department of Community Development and Office of Financial Management

AN ACT Relating to establishing and providing partial funding for the fire services trust fund; amending RCW 70.77.340; adding new sections to chapter 43.63A RCW; creating new sections; and declaring an emergency.

Referred to Committee on Revenue.

HB 1853 by Representatives Wang and Holland; by request of Office of Financial Management and Secretary of State

AN ACT Relating to nonprofit corporation fees; amending RCW 24.03.405 and 24.06.450; providing an effective date; and declaring an emergency.

Referred to Committee on Revenue.

HB 1854 by Representatives Wang and Holland; by request of Office of Financial Management

AN ACT Relating to imposing fees for certain forest practices; amending RCW 76.09.010, 76.09.040, 76.09.050, and 76.09.060; and declaring an emergency.

Referred to Committee on Revenue.

HB 1855 by Representatives Wang and Holland; by request of Office of Financial Management, Department of Fisheries and Department of Wildlife

AN ACT Relating to imposing fees for hydraulic permits issued for construction projects in state waters; adding a new section to chapter 75.20 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Revenue.

HB 1856 by Representatives Wang and Holland; by request of Department of Agriculture and Office of Financial Management

AN ACT Relating to weights and measures; amending RCW 19.94.010, 19.94.150, 19.94.160, 19.94.180, 19.94.190, 19.94.200, 19.94.215, 19.94.220, 19.94.240, 19.94.250, 19.94.260, 19.94.280, 19.94.290, 19.94.300, 19.94.330, 19.94.340, 19.94.350, 19.94.420, 19.94.440, 19.94.450, 19.94.480, 19.94.490, 19.94.500, 19.94.505, and 19.94.510; adding new sections to chapter 19.94 RCW; adding a new section to chapter 15.80 RCW; creating new sections; repealing RCW 19.94.020, 19.94.030, 19.94.040, 19.94.050, 19.94.060, 19.94.070, 19.94.080, 19.94.090, 19.94.100, 19.94.110, 19.94.120, 19.94.130, 19.94.140, and 19.94.270; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Revenue.

HB 1857 by Representatives Riley, Jones, Belcher, Wilson, Spanel and Sheldon; by request of Washington Hardwoods Commission

AN ACT Relating to the hardwood commission; amending RCW 15.74.030 and 15.74.060; adding a new section to chapter 15.74 RCW; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 1858 by Representatives Bray, Roland and Haugen

AN ACT Relating to employee check, draft, or warrant cashing by cities and towns; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 35A.40 RCW.

Referred to Committee on Local Government.

HB 1859 by Representative Appelwick; by request of Dept. of Social and Health Services

AN ACT Relating to child support; amending RCW 26.23.060, 26.23.070, 26.23.100, 74.20.220, 74.20.310, 74.20A.055, 26.23.050, 74.20A.058, 26.09.175, 26.21.230, 26.19.070, and 26.19.080; reenacting and amending RCW 26.23.110 and 74.20A.080; adding a new section to chapter 26.23 RCW; adding new sections to chapter 74.20A RCW; adding a new section to chapter 26.19 RCW; repealing RCW 26.19.020; and providing an effective date.

Referred to Committee on Judiciary.

HB 1860 by Representatives R. King and Morris

AN ACT Relating to commercial fishing; adding a new section to chapter 75.08 RCW; and creating new sections.

Referred to Committee on Fisheries & Wildlife.

HB 1861 by Representatives Morris, Moyer, Edmondson, Braddock, Sprenkle and Paris

AN ACT Relating to administrative requirements for osteopathic medicine and surgery; amending RCW 18.57.001, 18.57.003, 18.57.020, 18.57.040, 18.57.050, 18.57.080, and 18.57.145; adding new sections to chapter 18.57 RCW; and repealing RCW 18.57.085.

Referred to Committee on Health Care.

HB 1862 by Representatives Moyer, Braddock, Morris, Sprenkle and Casada

AN ACT Relating to physician assistants; and amending RCW 18.71A.060.

Referred to Committee on Health Care.

HB 1863 by Representatives Rust, Moyer, Morris, Braddock and Sprenkle

AN ACT Relating to ocularists; amending RCW 18.55.020, 18.55.040, 18.55.050, and 18.55.060; and adding new sections to chapter 18.55 RCW.

Referred to Committee on Health Care.

HB 1864 by Representatives Kremen, Haugen, Wilson, Roland, Braddock, Spanel, Rayburn, Rasmussen, Leonard, Bowman, R. Johnson, P. Johnson and Sheldon

AN ACT Relating to removal of sand and gravel; amending RCW 79.90.150; creating a new section; making appropriations; and repealing RCW 79.90.140.

Referred to Committees on Natural Resources & Parks/ Appropriations.

HB 1865 by Representatives Rust, Chandler, Valle and Prince

AN ACT Relating to the sizing of hazardous waste disposal facilities; amending RCW 70.105.215; adding a new section to chapter 70.105 RCW; and declaring an emergency.

Referred to Committee on Environmental Affairs.

HJR 4222 by Representatives Tate, Mielke, Beck, Bowman, Casada, Vance, P. Johnson, Fuhrman, Hochstatter, Paris, Padden, Ludwig, Betrozoff, Roland, Orr and Chandler

Requiring a favorable vote of three-fifths of the legislature in order to create a new tax or increase an existing tax.

Referred to Committee on Revenue.

SSB 5008 by Committee on Commerce & Labor (originally sponsored by Senators Bluechel, Gaspard, Hayner, Snyder, Matson, Vognild, Cantu, McMullen, von Reichbauer, Nelson, McDonald, Barr, Sellar, Bailey, Moore, Conner and Bauer)

Establishing the Pacific Northwest Economic Region.

Referred to Committee on Trade & Economic Development.

SSB 5027 by Committee on Law & Justice (originally sponsored by Senators Nelson, Rasmussen and Thorsness)

Raising the jurisdictional limit for small claims departments to five thousand dollars.

Referred to Committee on Judiciary.

SB 5037 by Senators Anderson, Conner, Newhouse, Hansen, Bailey and Barr

Coordinating activities relating to registration of plant protection products for minor crop uses.

Referred to Committees on Agriculture & Rural Development\ Appropriations.

SB 5068 by Senators Nelson, Rasmussen, Bailey, Metcalf, Erwin, Oke, Craswell, McCaslin, Thorsness and Sellar

Changing provisions relating to vehicular offenses.

Referred to Committee on Judiciary.

SB 5104 by Senators Moore, Amondson and Metcalf

Revising pilot examinations.

Referred to Committee on Transportation.

SB 5141 by Senator McCaslin

Accelerating changes to five-member boards of county commissioners.

Referred to Committee on Local Government.

SB 5371 by Senators Matson, Rasmussen, Erwin, Thorsness, Oke, Craswell, Stratton and Wojahn

Allowing retired physicians to provide medical services to low-income persons.

Referred to Committee on Judiciary.

#### MOTION

On motion of Mr. Ebersole, the bills and resolution listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

#### REPORTS OF STANDING COMMITTEES

HB 1016 Prime Sponsor, Representative Kremen: Changing eligibility requirements for concealed weapon permits. Reported by Committee on Judiciary

February 8, 1991

MAJORITY recommendation: That Substitute House Bill No. 1016 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; D. Sommers; Tate; Vance; and Wineberry.

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

Passed to Committee on Rules for second reading.

February 8, 1991

HB 1033 Prime Sponsor, Representative Jacobsen: Prohibiting the release of lighter than air balloons. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendment:  
On page 2, line 12, strike "or the superior court"

Signed by Representatives Rust, Chair; Valle, Vice Chair; Edmondson, Assistant Ranking Minority Member; Bray; G. Fisher; Neher; Pruitt; and Sprenkle.

MINORITY recommendation: Do not pass. Signed by Representatives Horn, Ranking Minority Member; Brekke; Phillips; D. Sommers; and Van Loven.

Passed to Committee on Rules for second reading.

February 8, 1991

HB 1037 Prime Sponsor, Representative Appelwick: Creating a procedure to monitor crimes of bigotry or bias. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1037 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Forner; Locke; R. Meyers; H. Myers; Scott; D. Sommers; Vance; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Padden, Ranking Minority Member; Broback; Hargrove; Mielke; D. Sommers; and Tate.

Voting nay: Representatives Padden, Ranking Minority Member; Broback; Hargrove; Mielke; D. Sommers; and Tate.

Passed to Committee on Rules for second reading.

February 7, 1991

HB 1118 Prime Sponsor, Representative R. Fisher: Adjusting length restrictions on buses. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:  
On page 2, line 3, after "sixty" insert "-one"

Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betzoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen;

Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representatives G. Fisher; Heavey; Prince; and Wood.

Passed to Committee on Rules for second reading.

February 7, 1991

HB 1154 Prime Sponsor, Representative Winsley: Outlawing studded tires. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 1154 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Basich; Cantwell; Day; G. Fisher; Forner; Haugen; Horn; R. Johnson; Kremen; Nelson; and Orr.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Assistant Ranking Minority Member; Cooper; P. Johnson; Jones; Mitchell; Prentice; Schmidt; Wilson; Wood; and Zellinsky.

Voting nay: Representatives Chandler, Assistant Ranking Minority Member; Cooper; P. Johnson; Jones; Mitchell; Prentice; Prince; Schmidt; S. Wilson; Wood; and Zellinsky.

Excused: Representative Heavey.

Passed to Committee on Rules for second reading.

February 8, 1991

HB 1202 Prime Sponsor, Representative Riley: Prohibiting firearms in state capitol buildings. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1202 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Inslee; Locke; R. Meyers; H. Myers; Riley; Scott; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Padden, Ranking Minority Member; Hargrove; Mielke; D. Sommers; Tate; and Vance.

Passed to Committee on Rules for second reading.

February 8, 1991

HB 1255 Prime Sponsor, Representative Appelwick: Pertaining to discrimination. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1255 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Passed to Committee on Rules for second reading.

February 8, 1991

HB 1259 Prime Sponsor, Representative H. Sommers: Creating a housing assistance program. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schmidt, Ranking Minority Member; Neher, Assistant Ranking Minority Member; Beck; Brough; Casada; Fraser; Heavey; Ogden; Silver; and Wang.

Excused: Representatives Braddock; Fraser; Heavey; Jacobsen; Peery; and Wang.

Passed to Committee on Rules for second reading.

February 8, 1991

HB 1326 Prime Sponsor, Representative Franklin: Regulating drayage and storage of tenants' property by landlords. Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Bill No. 1326 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Ballard; Leonard; Ogden; and Wineberry.

Excused: Representatives Winsley, Assistant Ranking Minority Member; and Ballard.

Passed to Committee on Rules for second reading.

February 8, 1991

HB 1414 Prime Sponsor, Representative Wineberry: Exempting certain first-time homebuyers from property taxation for three years. Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Bill No. 1414 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member;

Winsley, Assistant Ranking Minority Member; Ballard; Leonard; Ogden; and Wineberry.

Excused: Representative Ballard.

Referred to Committee on Revenue.

February 8, 1991

HB 1438 Prime Sponsor, Representative Basich: Changing the allocation of proceeds from the sale of salmon and salmon eggs. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; Wilson, Ranking Minority Member; Basich; Haugen; Hochstatter; Orr; and Padden.

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

Excused: Representatives Fuhrman, Assistant Ranking Minority Member; and Cole.

Referred to Committee on Appropriations.

February 8, 1991

HB 1487 Prime Sponsor, Representative Dellwo: Regulating check cashers and sellers. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Broback, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Inslee; R. Johnson; R. Meyers; Paris; and Winsley.

Excused: Representatives Anderson; Dorn; Schmidt; and Scott.

Passed to Committee on Rules for second reading.

February 8, HB 1488 Prime Sponsor, Representative Dellwo: Excluding commercial paper from "personal property" held by a pawnbroker. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Broback, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Inslee; R. Johnson; R. Meyers; Paris; and Winsley.

Excused: Representatives Anderson; Dorn; Schmidt; and Scott.

Passed to Committee on Rules for second reading.

February 8, 1991

HB 1511 Prime Sponsor, Representative Anderson: Restricting disclosure of public records containing addresses of victims of domestic violence. Reported by Committee on State Government

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, after line 6, strike all material through page 10, line 27, and insert the following:

NEW SECTION. Sec. 1. **INTENT.** The legislature finds that persons attempting to escape from actual or threatened domestic violence frequently establish new addresses in order to prevent their assailants or probable assailants from finding them. The purpose of this chapter is to aid such persons by enabling them to participate in a state program under which they may use the office of the secretary of state as their address.

NEW SECTION. Sec. 2. **DEFINITIONS.** "Domestic violence" has the definition provided under RCW 10.99.020, except that for purposes of this chapter, a minor shall also be considered as a family or household member. "Protected address" includes the residential, work, or school addresses that are included in an approved application under this chapter and for which the applicant requests confidentiality.

NEW SECTION. Sec. 3. **APPLICATION.** An adult person, a parent or guardian acting on behalf of a minor, or a guardian acting on behalf of an incapacitated person, as defined in RCW 11.88.010, may apply to the secretary of state to have the office of the secretary of state serve as the person's address or the address of the minor or incapacitated person. The secretary of state shall approve an application if it is filed in the manner and on the form prescribed by the secretary of state and if it contains:

(1) A sworn statement by the applicant that the applicant has good reason to believe (a) that the applicant, or the minor or incapacitated person on whose behalf the application is made, is under serious threat of becoming a victim of domestic violence; (b) that the use of the secretary of state's office as an address and the restrictions on disclosure provided under this chapter would reduce the risk of such victimization; and (c) that the address or addresses designated in subsection (4) of this section have been established, or will be established, at least in part to avoid detection and victimization;

(2) A designation of the secretary of state as agent for purposes of service of process and for the purpose of receipt of all mail, notices, and other written communications;

(3) The mailing address where the applicant can be contacted by the secretary of state, and the phone number or numbers where the applicant can be called by the secretary of state;

(4) The residential, work, or school address or addresses that the applicant requests not be disclosed for the reason that disclosure will increase the risk of domestic violence;

(5) The signature of the applicant and of any individual or representative of any office designated in writing under section 7 of this act who assisted in the preparation of the application.

NEW SECTION. Sec. 4. **APPROVAL OF APPLICATION BY SECRETARY OF STATE--ISSUANCE OF CERTIFICATE--DURATION.** (1) Upon approval of an application filed under section 3 of this act, the secretary of state shall issue a certificate to the applicant recognizing the applicant's permission to use the office of the secretary of state as the applicant's address, or as the address of any other person for whom the application was filed. The certificate shall contain the name of the person issued the certificate; the name of the person with the protected address; a statement that the office

of the secretary of state is the official address of the person with the protected address; and a listing of the secretary of state's office address to be used.

(2) A certificate is effective for a period of one year following its issuance, except under the following circumstances:

(a) The certificate will become ineffective if, and as of the time that, the person for whom the certificate is granted obtains a change of name; and

(b) A change in address listed on the application will render the certificate ineffective, unless the certificate holder provides the secretary of state with seven days' advance notice of the change of address.

(3) The secretary of state may cancel the certificate if mail forwarded by the secretary to that address is returned as nondeliverable.

(4) A certificate obtained though false information is void.

(4) This section does not apply to a voter's address provided to the county auditor for purposes of registering to vote or for any voting purpose.

**NEW SECTION.** Sec. 5. **ADOPTION OF RULES--USE OF SECRETARY OF STATE'S ADDRESS.** The secretary of state shall adopt rules permitting a current certificate holder, or person for whom a current certificate is obtained, to use the secretary of state's address in lieu of the protected address. This permission extends to all communications and transactions, except for those communications and transactions relating to voting. The secretary of state shall forward all mail or other materials sent to the secretary of state for a person with a protected address to the mailing address provided in the approved application. The secretary of state may send such mail or materials by United States postal service, or other alternative methods approved by the secretary of state.

**NEW SECTION.** Sec. 6. **DISCLOSURE RESTRICTIONS.** The secretary of state may not make a protected address available for inspection or copying, except under the following circumstances: (1) When requested by a law enforcement agency, to the law enforcement agency; and (2) when directed by court order, to a person identified in the order.

**NEW SECTION.** Sec. 7. **CHAPTER ADMINISTERED BY SECRETARY OF STATE--ASSISTANCE TO APPLICANTS.** (1) The secretary of state shall administer this chapter and adopt rules for its effective administration.

(2) Through interlocal or other agreements, the secretary of state may designate and authorize state and local agencies and nonprofit entities which provide counseling and shelter services to victims of domestic violence to assist applicants for a certificate under this chapter. Any assistance and counseling rendered by the office of the secretary of state or its designees to applicants shall in no way be construed as legal advice.

(3) The secretary of state shall serve as the agent for service of process on each person with a current protected address.

**NEW SECTION.** Sec. 8. **CAPTIONS NOT LAW.** Section captions as used in this chapter do not constitute any part of the law.

**NEW SECTION.** Sec. 9. A new section is added to chapter 29.36 RCW to read as follows:

(1) The county auditor shall place on ongoing absentee status any voter with a protected address, as defined under section 2 of this act, who submits to the county auditor a copy of the certificate issued under section 3 of this act and requests the county auditor to place the voter on such status.

(2) The county auditor may not disclose a protected address of a voter placed on ongoing absentee status under subsection (1) of this section, except under the following circumstances: (a) When requested by a law enforcement agency, to the law enforcement agency; and (b) when directed by court order, to a person identified in the order.

(3) A voter placed on ongoing absentee status under this section shall remain on such status for as long as the voter's address is a protected address. Such voter shall be

subject to the same restrictions as other voters placed on such status, except that termination of the status shall not occur on January 1st of each odd-numbered year.

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 16, line 6, after "through" strike "14" and insert "8"

On page 16, at the beginning of line 8, strike "14" and insert "8"

On page 16, line 9, after "Sections" strike "17 and 18" and insert "10 and 11"

On page 1, line 2 of the title, after "agencies;" strike the remainder of the title and insert "amending RCW 42.17.310 and 42.17.311; adding a new section to chapter 29.36 RCW; adding a new section to chapter 42.17 RCW; adding a new chapter to Title 40 RCW; and declaring an emergency."

Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Excused: Representative Sheldon.

Referred to Committee on Appropriations.

February 8, 1991

HJR 4210 Prime Sponsor, Representative Wineberry: Amending the Constitution to authorize a three-year property tax exemption for first-time homebuyers. Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Bill No. 4210 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Ballard; Leonard; Ogden; and Wineberry.

Excused: Representative Ballard.

Referred to Committee on Revenue.

#### MOTION

On motion of Mr. Ebersole, the bills and resolution listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

## MOTIONS

On motion of Mr. Ebersole, House Bill No. 1219 was referred from Committee on Appropriations to Committee on Education.

On motion of Mr. Ebersole, House Bill No. 1678 was referred from Committee on Health Care to Committee on Human Services.

On motion of Mr. Ebersole, House Bill No. 1772 was referred from Committee on Natural Resources & Parks to Committee on Local Government.

On motion of Mr. Ebersole, House Bill No. 1796 was referred from Committee on Health Care to Committee on Appropriations.

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

## MOTION

On motion of Mr. D. Sommers, the House adjourned until 10:00 a.m., Wednesday, February 13, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**THIRTY-FIRST DAY**

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**MORNING SESSION**

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House Chamber, Olympia, Wednesday, February 13, 1991

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Brumsickle. On motion of Ms. Casada, Representative Brumsickle was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Shawna Rowe and Willow Webb. Prayer was offered by The Reverend Randy Burtis of the Neighborhood Christian Center of Olympia.

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

**MESSAGES FROM THE SECRETARY OF STATE**

The Honorable Speaker of the House of Representatives  
The Legislature of the State of Washington  
Olympia, Washington  
Mr. Speaker:

As required by Article II, Section 1, of the State Constitution and RCW 29.79.200, we herewith respectfully certify that we have completed the verification of the signatures on Initiative to the Legislature 119, a copy of which was preliminarily certified to you on January 14, 1991, and we have determined that the initiative contains the signatures of at least 165,002 legal voters of the State of Washington. As this number exceeds that required by the State Constitution (150,001), we hereby certify that the Initiative to the Legislature 119 is qualified to appear on the state general election ballot unless approved by the Legislature during this session.

IN WITNESS WHEREOF, I have signed by name and affixed the seal of the State of Washington on this eighth day of February 1991.

(Seal)

Ralph Munro, Secretary of State.

The Honorable Speaker of the House of Representatives  
The Legislature of the State of Washington  
Olympia, Washington  
Mr. Speaker:

As required by Article II, Section 1, of the State Constitution and RCW 29.79.200, we herewith respectfully certify that we have completed the

verification of the signatures on Initiative to the Legislature 120, a copy of which was preliminarily certified to you on January 14, 1991, and we have determined that the initiative contains the signatures of at least 165,002 legal voters of the State of Washington. As this number exceeds that required by the State Constitution (150,001), we hereby certify that the Initiative to the Legislature 120 is qualified to appear on the state general election ballot unless approved by the Legislature during this session.

IN WITNESS WHEREOF, I have signed by name and affixed the seal of the State of Washington on this eighth day of February 1991.

(Seal)

Ralph Munro, Secretary of State.

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

### RESOLUTION

HOUSE RESOLUTION NO. 91-4623, by Representatives Heavey, Basich, Hargrove, Beck, Schmidt, Winsley, Brumsickle, Anderson, Appelwick, Ballard, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, G. Fisher, R. Fisher, Forner, Franklin, Fraser, Fuhrman, Grant, Haugen, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, P. Johnson, R. Johnson, Jones, J. King, R. King, Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, R. Meyers, Mielke, Miller, Mitchell, Morris, Morton, Moyer, H. Myers, Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Silver, D. Sommers, H. Sommers, Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Wood, Wynne and Zellinsky

WHEREAS, The University of Washington's Husky football team has brought national recognition and honor to the State of Washington with its victory in the 1991 Rose Bowl; and

WHEREAS, The individual and team achievements of the 1990 Husky players will be forever a golden mark commemorating the Huskies' centennial year; and

WHEREAS, The Huskies' 46-34 victory over the University of Iowa Hawkeyes set a record for the most points ever scored by a winning team since 1949; and

WHEREAS, The skill of Coach Don James' leadership was demonstrated by this third Rose Bowl victory in his career at the University of Washington; and

WHEREAS, Mark Brunell's Most Valuable Player performance with one hundred sixty-three yards passing and four touchdowns places him in league with such other great Husky quarterbacks as Warren Moon and Bob Schloretd; and

WHEREAS, The game-breaking blocked punt by freshman Andy Mason, the two interceptions by Charles Mincy, and the return of twelve starters to the

squad next year, portend such national recognition next year that was so well-deserved this year - the best team in the nation; and

WHEREAS, The courage and determination of running back Greg Lewis in recovering from knee surgery to gain 128 yards in the Rose Bowl victory will be a standard for all Husky running backs to come; and

WHEREAS, The strength and power of the Husky offensive line led by team cocaptain Dean Kirkland produced 408 offensive yards; and

WHEREAS, The leadership and outstanding play of defensive captains Eric Briscoe and Travis Richardson were demonstrated by the Husky defense's play which produced five sacks of Iowa's quarterback, four interceptions, and one recovered fumble, and brought the near collapse of the Hawkeyes' tricky offense; and

WHEREAS, The University of Washington football team is a source of great pride to all citizens of the state of Washington;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington honor the 1990 University of Washington Husky football team and Coach Don James; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Coach Don James and the entire 1991 Husky Rose Bowl team.

Mr. Heavey moved adoption of the resolution. Representatives Heavey, Basich, Beck and Schmidt spoke in favor of the resolution.

On motion of Mr. Basich, the rules were suspended and the names of all members of the House of Representatives were added as sponsors of the resolution.

House Resolution No. 91-4623 was adopted.

#### SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced Coach Don James, who was seated on the rostrum. Coach James briefly addressed the members of the House of Representatives.

#### RESOLUTION

HOUSE RESOLUTION NO. 91-4609, by Representatives Broback and Winsley

WHEREAS, It is the policy of the Legislature to recognize excellence in all fields of endeavor; and

WHEREAS, The Curtis High School Vikings' boys football team from Tacoma is the 1990 Class AAA state champions; and

WHEREAS, The individual and team play of the Vikings have brought the team back-to-back state championships becoming one of only three teams in the history of the state of Washington to do so; and

WHEREAS, Curtis High School Coach Bob Lucey showed leadership and skill in focusing his team on winning to become again state champions; and

WHEREAS, The offensive running might of Brian Smith and Singor Mobley was skillfully balanced by the passing arm of quarterback Brian Jensen to beat Newport High School 30-14; and

WHEREAS, The Viking defense held Newport's explosive rushing offense to 196 yards and its record-setting running back to just 39 yards;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington recognize and honor the Curtis High School Vikings' boys football team and their coach, Bob Lucey, for their accomplishments; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Coach Bob Lucey and the Curtis Vikings.

Mr. Broback moved adoption of the resolution. Representatives Broback and Winsley spoke in favor of the resolution.

House Resolution No. 91-4609 was adopted.

#### SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced the Court of the 1991 Apple Blossom Festival, which included Queen Holly Lane, Princess Fabiola Barbosa and Princess Shanna Grant. Queen Holly briefly addressed the members of the House of Representatives.

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

#### INTRODUCTIONS AND FIRST READING

HB 1866 by Representatives Bowman, Day, Wilson, Dellwo and Wood

AN ACT Relating to gambling taxes; and amending 9.46.110.

Referred to Committee on Commerce & Labor.

HB 1867 by Representatives R. King, Bowman, Day, Wilson, Dellwo, Paris and Wood

AN ACT Relating to gambling taxes; and amending RCW 9.46.110.

Referred to Committee on Commerce & Labor.

HB 1868 by Representatives Anderson, Ferguson, Cantwell, G. Fisher, Pruitt, Wineberry, Phillips and Hine

AN ACT Relating to transportation; amending RCW 43.17.020, 47.01.041, 47.01.051, 47.01.061, 47.01.071, 36.57A.070, 36.79.010, 36.79.120, 36.79.130, 46.44.080, 46.44.090, 46.44.092, 46.44.095, 46.61.450, 47.01.250, 47.01.280, 47.05.021, 47.05.030, 47.05.035, 47.05.040, 47.05.051, 47.05.070, 47.10.790, 47.10.791, 47.10.802, 47.12.200, 47.12.220, 47.24.010, 47.24.020, 47.26.400, 47.26.420, 47.26.440, 47.28.010, 47.28.170, 47.42.040, 47.42.045, 47.52.133, 47.52.145, 47.52.210, 47.56.030, 47.56.032, 47.56.070, 47.56.080, 47.56.110, 47.56.120, 47.56.240, 47.56.250, 47.56.380, 47.56.741, 47.56.742, 47.56.743, 47.56.745, 47.58.030, 47.60.150, 47.60.326, 47.60.330, 47.60.440, 47.60.450, 47.64.011, 47.64.170, 47.64.180, and 48.62.070; reenacting and amending RCW 47.01.101 and 47.10.801; and creating a new section.

Referred to Committee on State Government.

HB 1869 by Representatives Bowman, Jacobsen, Brough, Holland, Ballard, May, Betzoff, Neher, Ferguson, P. Johnson, Casada, Chandler, Brumsickle, Mitchell and Silver

AN ACT Relating to exceptional faculty awards; and amending RCW 28B.50.837, 28B.50.839, and 28B.50.841.

Referred to Committee on Higher Education.

HB 1870 by Representatives Jones, Basich, Hargrove, Jacobsen, Riley, Fuhrman, R. Johnson, Wilson, Wineberry, Morris, Miller, Wynne, Wood, D. Sommers, Roland, Brumsickle, Rasmussen, Sprengle and Orr

AN ACT Relating to higher education; adding new sections to chapter 28B.50 RCW; adding new sections to chapter 28B.80 RCW; creating a new section; making appropriations; and declaring an emergency.

Referred to Committees on Higher Education/Appropriations.

HB 1871 by Representatives Jones, Brumsickle, Basich, Bowman, Kremen, Hargrove, Rasmussen, Sheldon, Fuhrman, Riley, R. Johnson, Jacobsen, Morris, Chandler and Roland

AN ACT Relating to preferences for Washington wood products; adding a new section to chapter 39.04 RCW; adding a new section to chapter 43.31 RCW; adding a new section to chapter 43.19 RCW; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 1872 by Representatives Van Luven, Jones, Vance, R. King, Fuhrman, Cole, Wilson, Padden, Paris, Bowman, Brough, May and Winsley

AN ACT Relating to employer experience rating; and amending RCW 50.29.020.

Referred to Committee on Commerce & Labor.

HB 1873 by Representatives Pruitt, Sprenkle, Riley, R. Johnson, R. Meyers, Phillips, Ogden, Jacobsen, Haugen, Roland, Rasmussen and Orr

AN ACT Relating to accountability in state government; adding a new chapter to Title 43 RCW; adding a new chapter to Title 44 RCW; creating a new section; and making an appropriation.

Referred to Committee on Appropriations.

HB 1874 by Representatives Braddock, Ebersole, Dellwo, Cole, Belcher, Spanel, Sprenkle and Anderson

AN ACT Relating to interest on mortgage impound accounts; and adding a new chapter to Title 19 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1875 by Representatives Peery and Zellinsky

AN ACT Relating to unemployment insurance benefits; and amending RCW 50.44.050.

Referred to Committee on Commerce & Labor.

HB 1876 by Representatives Wineberry, Padden, Peery, Brough, Dorn, Vance, Valle, Riley, Fuhrman, Jacobsen, Miller, Winsley, Betrozoff, Wood, Moyer, Hochstatter, Tate, D. Sommers, Chandler, Roland, Brumsickle, Rasmussen, Silver and Anderson

AN ACT Relating to a program for educational opportunity grants in designated urban areas; adding new sections to chapter 74.13 RCW; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 1877 by Representatives Hargrove, Belcher, Jones, Phillips, Jacobsen, Sheldon, Basich and Rasmussen

AN ACT Relating to natural resource management research; amending RCW 76.12.210; adding new sections to chapter 76.12 RCW; creating a new section; and making appropriations.

Referred to Committee on Natural Resources & Parks.

HB 1878 by Representatives Cooper, Betrozoff, R. Meyers, Day, Prince and Haugen

AN ACT Relating to motor vehicle dealer license plates; and amending RCW 46.70.090, 46.70.083, and 46.70.101.

Referred to Committee on Transportation.

HB 1879 by Representatives Phillips, Brumsickle, Dorn, Pruitt, Paris, Jones, Ebersole, Winsley, Brekke and Rasmussen; by request of Superintendent of Public Instruction

AN ACT Relating to the schools and families act; adding a new chapter to Title 28A RCW; making appropriations; providing an effective date; and declaring an emergency.

Referred to Committees on Education/Appropriations.

HB 1880 by Representatives Cole, Brumsickle, Peery, Riley, Paris, Jacobsen, May, Betrozoff and Rasmussen; by request of Superintendent of Public Instruction

AN ACT Relating to school bus replacement for public school districts; amending RCW 28A.160.200; adding new sections to chapter 28A.160 RCW; and providing an effective date.

Referred to Committee on Education.

HB 1881 by Representatives Appelwick, Padden, Paris, May, Winsley, Wood and D. Sommers

AN ACT Relating to determining the number of district court judges; amending RCW 3.34.010 and 3.34.020; adding a new section to chapter 3.34 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1882 by Representatives Morris, Moyer, Ebersole, Appelwick, Leonard, Wood, Braddock, Brumsickle, Prentice, Heavey, Pruitt, Paris, Cooper, Roland, H. Myers, Belcher, Mielke, Hine, Bowman, Wineberry, Phillips, Orr, Cantwell, Spanel, Rust, Holland, Edmondson, Casada, Sprenkle, Franklin, Riley, Bray, R. Johnson, Rayburn, Ogden, Ludwig, Jacobsen, Nelson, Miller, Winsley, P. Johnson, D. Sommers, Sheldon, Brekke, Rasmussen, Mitchell and Anderson

AN ACT Relating to family violence; amending RCW 18.19.020 and 18.19.030; adding a new section to chapter 18.19 RCW; adding a new chapter to Title 70 RCW; creating new sections; making appropriations; providing an effective date; and declaring an emergency.

Referred to Committees on Health Care/Appropriations.

HB 1883 by Representatives R. Meyers, Chandler, Grant, Nealey, Hochstatter, McLean, Vance, Riley, Bray, Paris, Jacobsen, May, Betzoff, Wynne, Moyer, D. Sommers and Rasmussen

AN ACT Relating to gasohol; and amending RCW 19.112.010 and 82.04.325.

Referred to Committees on Energy & Utilities/Transportation.

HB 1884 by Representatives Ebersole, Former, Belcher, Locke, Spanel, Peery, Phillips, H. Myers, Riley, R. Johnson, Paris, Wineberry, Ogden, Ludwig, Edmondson, Zellinsky, Brough, Jacobsen, Nelson, Miller, Holland, Winsley, Roland, Hine, Brekke, Rasmussen, Fraser, Mitchell and Orr

AN ACT Relating to domestic violence; amending RCW 7.68.070, 9A.36.031, 9A.36.045, 10.99.020, 10.99.040, 10.99.050, 26.50.110, 26.50.010, 26.50.020, and 82.14.340; adding new sections to chapter 70.123 RCW; adding a new chapter to Title 18 RCW; creating new sections; repealing RCW 70.123.020; prescribing penalties; and making an appropriation.

Referred to Committees on Judiciary/Appropriations.

HB 1885 by Representatives Roland, Former, Peery, Orr, G. Fisher, Cole, Scott, Haugen, Vance, Riley, Pruitt, Jacobsen, Nelson, Ebersole, Winsley and Rasmussen

AN ACT Relating to teachers recruiting future teachers; adding a new section to chapter 28A.300 RCW; creating a new section; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 1886 by Representatives H. Myers, Padden, Cooper, Morris, Ogden, Peery, Tate, Ludwig, Fuhrman, Paris, Wineberry, May, Winsley, Sheldon, Rasmussen and Orr

AN ACT Relating to alcohol and drug evaluation and treatment for individuals convicted of vehicular homicide or vehicular assault; amending RCW 46.61.520, 9.94A.120, and 9.94A.030; adding a new section to chapter 46.61 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1887 by Representatives Fraser, Belcher, Beck, Valle, Brumsickle, Rust, Ogden, Pruitt, Jacobsen, Sprengle, Rasmussen, Prentice, Moyer, Former, Padden, Paris, Phillips, Miller, May, Winsley, Tate, D. Sommers and Silver

AN ACT Relating to open space land; and amending RCW 84.34.020.

Referred to Committees on Natural Resources & Parks/Revenue.

HB 1888 by Representatives Fraser, Prentice, Moyer, Jacobsen, Casada, Ogden, Rasmussen, Basich, Paris, Phillips and Nelson

AN ACT Relating to protecting the scenic heritage along Washington's highways; adding new sections to chapter 47.39 RCW; adding a new section to chapter 46.68 RCW; creating a new section; and making appropriations.

Referred to Committee on Transportation.

HB 1889 by Representative Locke; by request of Office of Financial Management and Dept. of Social and Health Services

AN ACT Relating to increasing the deductible for medical care under the limited casualty program; amending RCW 74.09.700; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1890 by Representative Braddock; by request of Office of Financial Management and Dept. of Social and Health Services

AN ACT Relating to regulation of nursing homes; and amending RCW 18.51.050, 74.46.660, 74.46.020, 74.46.210, 74.46.380, 74.46.410, 74.46.481, and 74.46.530.

Referred to Committees on Health Care/Appropriations.

HB 1891 by Representatives Braddock and Wineberry; by request of Washington Basic Health Plan and Office of Financial Management

AN ACT Relating to coordination of the basic health plan with medical assistance; amending RCW 70.47.030, 70.47.060, and 70.47.110; providing an effective date; and declaring an emergency.

Referred to Committees on Health Care/Appropriations.

HB 1892 by Representative Braddock; by request of Office of Financial Management and Dept. of Social and Health Services

AN ACT Relating to antipsychotic medicine; amending RCW 71.05.120, 71.05.130, 71.05.210, and 71.05.370; and adding a new section to chapter 71.05 RCW.

Referred to Committee on Health Care.

HB 1893 by Representatives Bowman, Rasmussen, Moyer, Valle, Wood, Fuhrman, Padden, P. Johnson, Paris, Brough, Morris, Miller,

Ballard, May, Winsley, Wynne, Casada, Tate, D. Sommers, Chandler and Brumsickle

AN ACT Relating to suspension of state financial aid; amending RCW 28B.10.281; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Higher Education.

HB 1894 by Representatives Bowman, Zellinsky, Riley, Jones, Wineberry, Roland and Sheldon

AN ACT Relating to automobile liability insurance; and adding a new section to chapter 48.18 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1895 by Representatives Day, Moyer, Sprenkle, Prentice, Riley, Paris and Orr; by request of Department of Health

AN ACT Relating to confidentiality of driver records; and adding a new section to chapter 18.72 RCW.

Referred to Committee on Health Care.

HB 1896 by Representatives R. Meyers, May, Scott, Ballard, Anderson, Broback, Mielke, McLean, Paris, Miller, Winsley, Ferguson, Hochstatter and D. Sommers

AN ACT Relating to oil heat tank pollution liability; and adding a new chapter to Title 70 RCW.

Referred to Committee on Financial Institutions & Insurance.

HJM 4009 by Representatives D. Sommers, Basich, Chandler, Orr, Neher, Brumsickle, Morton, Broback, Nealey, Tate, Moyer, Hochstatter, Betzoff, P. Johnson, Casada, Padden, Zellinsky, Dorn, Paris, Bowman and Ballard

Requesting Congress to amend the Constitution to prevent flag desecration.

Referred to Committee on State Government.

#### MOTION

On motion of Mr. Dorn, the bills and memorial listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

### REPORTS OF STANDING COMMITTEES

February 12, 1991

HB 1195 Prime Sponsor, Representative Bray: Authorizing irrigation districts to establish consolidated local improvement districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Excused: Representatives Nelson; Rayburn; Wynne; and Zellinsky.

Passed to Committee on Rules for second reading.

February 11, 1991

HB 1218 Prime Sponsor, Representative Jacobsen: Adding Student members to the governing boards of higher education institutions. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; Dellwo; Fraser; Ludwig; Miller; Sheldon; and Van Luven.

MINORITY recommendation: Without recommendation. Signed by Representatives May, Assistant Ranking Minority Member; Basich; Prince; and Spanel.

Passed to Committee on Rules for second reading.

February 11, 1991

HB 1229 Prime Sponsor, Representative Fraser: Establishing a mental health practitioners' loan repayment program. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute House Bill No. 1229 be substituted therefor, and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Basich; Dellwo; Fraser; Ludwig; Miller; Prince; Sheldon; Spanel; and Van Luven.

Referred to Committee on Appropriations.

February 11, 1991

HB 1230 Prime Sponsor, Representative Fraser: Creating a mental health practitioners' conditional scholarship program. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute House Bill No. 1230 be substituted therefor, and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Basich; Fraser; Ludwig; Miller; Prince; Sheldon; Spanel; and Van Luven.

Referred to Committee on Appropriations.

February 8, 1991

HB 1234 Prime Sponsor, Representative Anderson: Prohibiting the execution of the mentally retarded. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1234 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; H. Myers; Riley; Scott; D. Sommers; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Padden, Ranking Minority Member; Mielke; Tate; and Vance.

Passed to Committee on Rules for second reading.

February 8, 1991

HB 1304 Prime Sponsor, Representative Valle: Requiring recycling at parks, marinas, and airports. Reported by Committee on Environmental Affairs

MAJORITY recommendation: That Substitute House Bill No. 1304 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; Neher; Phillips; Pruitt; D. Sommers; Sprenkle; and Van Luven.

Passed to Committee on Rules for second reading.

February 11, 1991

HB 1305 Prime Sponsor, Representative Nelson: Establishing the Giovanni Costigan endowed teaching chair. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May,

Assistant Ranking Minority Member; Basich; Dellwo; Fraser; Ludwig; Miller; Prince; Sheldon; and Spanel.

MINORITY recommendation: Without recommendation. Signed by Representative Van Luven.

Referred to Committee on Appropriations.

February 11, 1991

HB 1358 Prime Sponsor, Representative Dorn: Allowing educational employees to choose a benefit plan in lieu of remuneration for unused sick leave. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betzoff; Broback; Brumsickle; Cole; Dorn; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Excused: Representative Holland.

Referred to Committee on Appropriations.

February 12, 1991

HB 1369 Prime Sponsor, Representative Belcher: Exempting certain permits and licenses from the definition of a fee. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; Scott, Vice Chair; Beck, Ranking Minority Member; Brumsickle, Assistant Ranking Minority Member; Dellwo; Fraser; Hargrove; Morton; Riley; Sheldon; and Wynne.

Passed to Committee on Rules for second reading.

February 12, 1991

HB 1406 Prime Sponsor, Representative Jacobsen: Creating a liaison program for oceanographic information. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; Scott, Vice Chair; Brumsickle, Assistant Ranking Minority Member; Dellwo; Fraser; Hargrove; Riley; Sheldon; and Wynne.

MINORITY recommendation: Without recommendation. Signed by Representatives Beck, Ranking Minority Member; and Morton.

Passed to Committee on Rules for second reading.

## MOTION

On motion of Mr. Dorn, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker called the House to order.

Representative Brumsickle appeared at the bar of the House.

## SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 4408,  
HOUSE CONCURRENT RESOLUTION NO. 4409.

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

## SECOND READING

## MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1120 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1120, by Representatives Roland, Forner, Leonard, Holland, Scott, Valle, Day, O'Brien, Prince, Bowman, R. Meyers, Tate, H. Myers, Hine, Fuhrman, Rayburn, Prentice, Jacobsen, R. King, Chandler, Wilson, Inslee, Wood, Rasmussen, Cooper, R. Johnson, Vance, Sheldon, Morris, Appelwick, Brumsickle, Hochstatter, Van Luven, Paris, Haugen, Kremen, Zellinsky, Edmondson, Brough, Phillips, Lisk, Betzoff, Wynne, Nealey, Miller, Fraser, Wineberry, Sprengle, Orr, McLean and Anderson

Modifying disbursement of daily gross receipts in horse racing.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1120 was substituted for House Bill No. 1120, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1120 was read the second time.

Mr. Wang moved adoption of the following amendments by Representatives Wang, Roland, Holland, Heavey and Forner:

On page 9, line 10, after "." insert "For purposes of this section "ground miles" means miles measured from point to point in a straight line."

On page 9, line 29, after "fifty" strike "air" and insert "((air)) ground"

Representatives Wang and Forner spoke in favor of adoption of the amendments, and they were adopted.

Mr. Wang moved adoption of the following amendments by Representatives Wang, Roland, Holland, Heavey and Forner:

On page 10, line 16, after " ;" strike "and"

On page 10, line 17, after "s 6" strike "." and insert " ;"

On page 10, after line 17, insert the following:

"(3) RCW 67.16.910 and 1990 c 297 s 24; and

(4) RCW 67.16.911 and 1990 c 297 s 25."

Representatives Wang and Forner spoke in favor of adoption of the amendments, and they were adopted.

With consent of the House, the following amendment to the title by Representatives Wang, Roland, Holland, Heavey and Forner was adopted:

On page 1, line 3 of the title, after "67.16.210" strike "and 67.17.220" and insert ", 67.16.220, 67.16.910, and 67.16.911"

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Roland, Vance, Wang, Leonard, Neher, Forner and Sheldon spoke in favor of passage of the bill, and Ms. Rust spoke against it.

#### MOTION

On motion of Ms. Cole, Representative Nelson was excused.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1120, and the bill passed the House by the following vote: Yeas - 93, Nays - 4, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Berozoff, Bowman, Braddock, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Belcher, Bray, Rust, Sprengle - 04.

Excused: Representative Nelson - 01.

Engrossed Substitute House Bill No. 1120, having received the constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I wish to formally change my vote on final passage of Engrossed House Bill No. 1120. I meant to register a "yes" vote.

ARTHUR C. SPRENKLE, District 39B.

The Speaker called on Representative R. Meyers to preside.

HOUSE BILL NO. 1024, by Representatives Zellinsky, Broback, Dellwo, Haugen, Kremen, Day, Wineberry, Mielke, Orr, Inslee, Ebersole, R. Meyers, Paris, Schmidt, May, Edmondson, Van Luven, Sheldon, Pruitt, Winsley, Forner and Anderson

Excluding certain driving record information pertaining to law enforcement officers and fire fighters from abstracts of driving records.

The bill was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Zellinsky spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1024, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Nelson - 01.

House Bill No. 1024, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1030, by Representatives Valle and Heavey

Requiring posting of liquor applications.

The bill was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Valle and Fuhrman spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1030, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Nelson - 01.

House Bill No. 1030, having received the constitutional majority, was declared passed.

### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1159 and House Bill No. 1401 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1159, by Representatives Cole, Leonard, Roland, Jacobsen, Rust, Prentice, Ebersole, Phillips, Holland, Scott, R. Fisher, Fraser, Jones, Pruitt, Franklin, Brekke, Sprenkle, R. King, Wood, Basich, Wang, Spanel, Belcher, H. Myers, Appelwick, Orr, Beck, Braddock, Horn, Dellwo, R. Johnson, Morris, Nelson, Miller, Wineberry and Anderson

Requiring the adoption of a policy prohibiting corporal punishment in schools.

The bill was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cole, Ebersole, Leonard, Miller, Dorn and Pruitt spoke in favor of passage of the bill, and Representatives Fuhrman, Padden and Hargrove spoke against it.

Mr. Zellinsky demanded the previous question, and the demand was sustained.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1159, and the bill passed the House by the following vote: Yeas - 69, Nays - 28, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Basich, Beck, Belcher, Braddock, Bray, Brekke, Broback, Cantwell, Cole, Cooper, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Grant, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, Meyers, R., Miller, Mitchell, Morris, Myers, H., O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 69.

Voting nay: Representatives Ballard, Betrozoff, Bowman, Brough, Brumsickle, Casada, Chandler, Day, Edmondson, Ferguson, Fuhrman, Hargrove, Haugen, Hochstatter, Johnson P., Lisk, May, McLean, Mielke, Morton, Moyer, Nealey, Neher, Padden, Prince, Sommers, D., Tate, Vance - 28.

Excused: Representative Nelson - 01.

House Bill No. 1159, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1401, by Representatives Wang, Wynne, Ballard, D. Sommers, Winsley, Cooper, Vance, Mielke, Van Luven, Moyer, Miller, Brumsickle, Bowman, Horn, Paris, May, Betrozoff, Inslee, R. Meyers, Pruitt, Zellinsky, Bray, Franklin, Ogden, Phillips, Valle, H. Myers, Rasmussen, Fraser, Sprenkle, Heavey, Scott, Tate, Dellwo, Silver, Jacobsen, Hine, Brekke and Peery

Enacting the Washington taxpayers' rights and responsibilities act.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 1401 was substituted for House Bill No. 1401, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1401 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang, Ballard and Ferguson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1401, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Nelson - 01.

Substitute House Bill No. 1401, having received the constitutional majority, was declared passed.

## SPEAKER'S PRIVILEGE

The Speaker (Mr. R. Meyers presiding) introduced former Representative Hugh "Bud" Kalich, who was seated on the rostrum.

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

## MOTION

On motion of Mr. Ebersole, the House adjourned until 12:00 Noon, Thursday, February, 14, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**THIRTY-SECOND DAY**

-----  
 NOON SESSION  
 -----

House Chamber, Olympia, Thursday, February 14, 1991

The House was called to order at 12:00 Noon by the Speaker (Mr. O'Brien presiding).

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

MESSAGE FROM THE SENATE

February 13, 1991

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5020,  
 SENATE BILL NO. 5023,  
 SUBSTITUTE SENATE BILL NO. 5082,

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

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

INTRODUCTIONS AND FIRST READING

HB 1897 by Representatives Bowman, Bray and Ferguson

AN ACT Relating to public hospital districts; amending RCW 70.44.040, 70.44.045, 70.44.051, and 70.44.053; adding a new section to chapter 70.44 RCW; and repealing RCW 70.44.055 and 70.44.057.

Referred to Committee on Local Government.

HB 1898 by Representatives Phillips and Van Luvan

AN ACT Relating to the business and occupation taxation of payments and contributions to nonprofit corporations by public entities; adding a new section to chapter 82.04 RCW; and creating a new section.

Referred to Committees on Trade & Economic Development/Revenue.

HB 1899 by Representatives Scott, Paris, Winsley, Brekke, Leonard, Day, Rasmussen, Brough, Dorn, Wood, Van Luven, Moyer and Rayburn

AN ACT Relating to grandparents' rights; amending RCW 26.09.240; adding a new section to chapter 26.10 RCW; adding a new section to chapter 13.34 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 1900 by Representatives Scott, Cole, Roland, Ludwig, Forner, Wineberry, Locke, Appelwick, H. Myers, Rasmussen, Wang, Wynne and Anderson

AN ACT Relating to firearm control; adding new sections to chapter 9.41 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1901 by Representatives Appelwick, Padden, Tate, Ludwig, R. Meyers, Riley, Forner, Inslee, Paris, H. Myers, Vance, Broback, D. Sommers, Holland, Rasmussen, Brough, Dorn, Wang, Winsley, Wynne, McLean, Wood, Moyer and Rayburn

AN ACT Relating to juvenile justice; and creating a new section.

Referred to Committee on Judiciary.

HB 1902 by Representatives Phillips, Horn, Pruitt, Rust, Valle, Brekke and Sprenkle

AN ACT Relating to clean-fuel vehicles; amending RCW 70.120.020; adding a new section to chapter 82.44 RCW; adding new sections to chapter 70.120 RCW; adding a new section to chapter 43.19 RCW; adding new sections to chapter 80.28 RCW; and adding a new section to chapter 70.94 RCW.

Referred to Committee on Environmental Affairs.

HB 1903 by Representatives Scott, Miller, Cole, Riley, Ludwig, Locke, Wineberry, Appelwick, Rasmussen, Wang, Ferguson and Anderson

AN ACT Relating to handgun control; amending RCW 9.41.010; adding a new section to chapter 9.41 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1904 by Representatives Cantwell, Forner, Ferguson, Jacobsen, Zellinsky, Jones, Riley, Rasmussen and Paris

AN ACT Relating to local community development; amending RCW 41.06.072; adding new sections to chapter 43.63A RCW; creating a new section; and making an appropriation.

Referred to Committees on Trade & Economic Development/  
Appropriations.

HB 1905 by Representatives Morris and R. King

AN ACT Relating to the commercial catch and sale of sturgeon; adding a new section to chapter 75.12 RCW; and creating a new section.

Referred to Committee on Fisheries & Wildlife.

HB 1906 by Representatives Jones and Braddock

AN ACT Relating to screening tests for hereditary diseases; and amending RCW 70.83.020.

Referred to Committee on Health Care.

HB 1907 by Representatives Dellwo, Broback, Zellinsky, Mielke, Anderson, R. Meyers, Winsley, Inslee, Paris, Dorn, Schmidt, Scott and R. Johnson

AN ACT Relating to the regulation of local government self-insurance; amending RCW 41.04.180, 41.05.021, 35.23.460, 35A.41.020, 36.32.400, 53.08.170, 54.04.050, 56.08.100, 57.08.100, and 43.09.260; adding new sections to chapter 48.62 RCW; creating new sections; repealing RCW 48.62.010, 48.62.020, 48.62.030, 48.62.035, 48.62.040, 48.62.050, 48.62.060, 48.62.070, 48.62.080, 48.62.090, 48.62.100, 48.62.110, and 48.62.120; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 1908 by Representatives Prentice, Moyer, Day, Edmondson, Sprengle, Braddock, Franklin, Dellwo and Paris

AN ACT Relating to the certification and registration of nursing assistants; amending RCW 18.88A.010, 18.88A.020, 18.88A.030, 18.88A.040, 18.88A.050, 18.88A.060, 18.88A.070, 18.88A.080, and 18.88A.100; adding new sections to chapter 18.88A RCW; and repealing RCW 18.52A.010, 18.52A.020, 18.52A.030, 18.52A.040, 18.52B.050, 18.52B.080, 18.52B.110, 18.52B.120, 18.52B.150, 18.52B.160, 18.52B.900, and 18.52B.901.

Referred to Committee on Health Care.

HB 1909 by Representatives Dellwo, Paris and R. Johnson; by request of Insurance Commissioner

AN ACT Relating to the licensure of insurance companies; amending RCW 48.05.340 and 48.15.090; providing an effective date; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

HB 1910 by Representatives Dellwo, R. Johnson, Paris, Inslee, Brough, Winsley, Wood, Van Luvan and Moyer; by request of Insurance Commissioner

AN ACT Relating to making medicare supplemental insurance conform to federal laws; and adding a new section to chapter 48.66 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1911 by Representatives Haugen, Wynne, Anderson, Ferguson, Basich, Cooper, Belcher, Fraser, Zellinsky, Prince and Nelson

AN ACT Relating to local government regulation of state licensed massage practitioners; adding a new section to chapter 35.21 RCW; adding a new section to Title 35A RCW; adding a new section to Title 36 RCW; and repealing RCW 18.108.190.

Referred to Committee on Local Government.

HB 1912 by Representatives Peery, Brough, Ebersole, Holland, Dorn, Vance and Inslee; by request of Superintendent of Public Instruction and Board of Education

AN ACT Relating to education; amending RCW 28A.150.200, 28A.150.220, 28A.150.230, 28A.150.260, 28A.150.290, 28A.195.010, 28A.230.090, 28A.230.100, and 28A.170.100; adding new sections to chapter 28A.150 RCW; and repealing RCW 28A.150.210, 28A.230.110, 28A.305.140, 28A.320.210, and 28A.320.220.

Referred to Committee on Education.

HB 1913 by Representatives Hargrove, Grant and Neher

AN ACT Relating to department of corrections' employees employed at prisons and other custodial institutions; amending RCW 41.56.475; adding a new section to chapter 41.56 RCW; and adding a new section to chapter 41.06 RCW.

Referred to Committees on Human Services/Commerce & Labor.

HB 1914 by Representatives Dellwo, Moyer, Pruitt, Brekke, Morris, Nelson, Jones, Ogden and Chandler

AN ACT Relating to salaries of community mental health practitioners; and amending RCW 71.24.035 and 71.24.300.

Referred to Committee on Appropriations.

HB 1915 by Representatives R. King, Prentice, Morris, Prince, Nealey, Ogden and Chandler

AN ACT Relating to employment services in mental health programs; and amending RCW 71.24.035 and 71.24.045.

Referred to Committee on Human Services.

HB 1916 by Representatives Belcher, Fraser, Wang, Phillips and Anderson; by request of Interagency for Outdoor Recreation

AN ACT Relating to the establishment of a stewardship account for state-owned wildlife habitat, natural areas, parks, and other recreation sites; amending RCW 82.45.060 and 82.50.400; adding a new chapter to Title 43 RCW; and creating a new section.

Referred to Committees on Natural Resources & Parks/Revenue.

HB 1917 by Representatives Braddock, Moyer and Prentice; by request of Department of Health

AN ACT Relating to the licensure of nonresident pharmacies; amending RCW 42.17.310; adding new sections to chapter 18.64 RCW; adding a new section to chapter 48.20 RCW; adding a new section to chapter 48.21 RCW; adding a new section to chapter 48.44 RCW; adding a new section to chapter 48.46 RCW; and providing an effective date.

Referred to Committee on Health Care.

HB 1918 by Representatives Sprenkle, Moyer and Braddock; by request of Department of Health

AN ACT Relating to the practice of pharmacy; amending RCW 18.64.043, 18.64.045, 18.64.046, 18.64.047, 18.64.140, 69.43.010, 69.43.090, 69.45.070, and 69.50.301; and adding a new section to chapter 18.64A RCW.

Referred to Committee on Health Care.

HB 1919 by Representatives Valle, Dellwo, Sprenkle, Scott, Winsley, Prentice, Rasmussen, Bowman and Leonard

AN ACT Relating to motor vehicle insurance and safety courses; amending RCW 48.19.460 and 28A.220.900; and adding a new section to chapter 28A.220 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1920 by Representatives Heavey and Cole

AN ACT Relating to employer obligations for providing industrial insurance; amending RCW 51.04.110, 51.04.120, 51.16.060, 51.16.105, 51.16.120, 51.16.140, 51.24.030, 51.24.050, 51.24.060, 51.24.070, 51.24.080, 51.24.090, 51.28.030, 51.28.055, 51.32.055, 51.32.073, 51.32.075, 51.32.095, 51.32.110, 51.32.112, 51.32.114, 51.32.160, 51.32.220, 51.32.240, 51.36.010, 51.36.020, 51.36.050, 51.36.060, 51.36.070, 51.44.040, 51.44.070, 51.48.050, 51.52.050, 51.52.110, 51.52.120, and 51.52.130; adding a new section to chapter 51.28 RCW; adding a new section to chapter 51.98 RCW; repealing RCW 51.14.010, 51.14.020, 51.14.030, 51.14.040, 51.14.050, 51.14.060, 51.14.070, 51.14.073, 51.14.077, 51.14.080, 51.14.090, 51.14.095, 51.14.100, 51.14.110, 51.14.150, 51.14.160, 51.32.190, 51.32.195, 51.32.200, 51.36.085, 51.44.140, 51.44.150, 51.48.017, and 51.48.110; prescribing penalties; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 1921 by Representatives Paris, Riley, Padden, Ludwig, Inslee, Mielke, R. Meyers, Vance, Broback, D. Sommers, Moyer, Anderson, Scott, Winsley, Zellinsky, R. Johnson, Beck, Braddock, Edmondson, Betzoff, Holland, Rasmussen, Brough, Wynne, Wood and Ferguson

AN ACT Relating to an interdepartmental advisory council for persons with functional disabilities; amending RCW 18.51.070 and 43.20.030; adding a new chapter to Title 43 RCW; creating a new section; and repealing RCW 43.20A.680, 43.20A.685, 43.20A.690, 43.20A.695, 18.51.100, 18.51.110, 18.51.910, and 18.51.911.

Referred to Committees on Health Care/Appropriations.

HB 1922 by Representatives Roland, Winsley, Brekke, Leonard, Rasmussen and Anderson

AN ACT Relating to employment services for homeless persons; adding new sections to chapter 50.12 RCW; and creating a new section.

Referred to Committee on Commerce & Labor.

HB 1923 by Representatives Roland, Heavey, Rasmussen, Rayburn, Orr, Spanel, Leonard, Basich and Winsley

AN ACT Relating to at-risk youth; and amending RCW 13.32A.030.

Referred to Committee on Human Services.

HB 1924 by Representatives Grant, Belcher, Rasmussen, Ludwig, Bray, Rayburn and Inslee

AN ACT Relating to the marketing of motor fuels; adding a new chapter to Title 78 RCW; adding a new chapter to Title 82 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committees on Energy & Utilities/Revenue.

HB 1925 by Representatives Chandler, Valle, Hochstatter, Rasmussen and Paris

AN ACT Relating to the siting of hazardous waste incinerators near agricultural lands; and adding a new section to chapter 70.105 RCW.

Referred to Committee on Environmental Affairs.

HJM 4010 by Representatives R. Fisher, Schmidt, Cooper, Wilson, R. Meyers, Prentice, Wood, Heavey, Chandler, R. Johnson, Forner, P. Johnson, Mitchell, Brough, Haugen, Zellinsky, Jones, Kremen, Cantwell, Phillips, Nealey, Paris, Bray, Rayburn, Nelson and Anderson

Asking Congress to develop a national energy policy.

Referred to Committee on Energy & Utilities.

HJM 4011 by Representatives R. Fisher, R. Meyers, Wilson, Cooper, Schmidt, R. Johnson, Prentice, Wood, Mitchell, Heavey, Chandler, Forner, P. Johnson, Brough, Haugen, Zellinsky, Jones, Kremen, Cantwell, Holland and Anderson

Asking Congress for adoption of the new Federal Surface Transportation Assistance Act by October 1, 1991.

Referred to Committee on Transportation.

HJM 4012 by Representatives R. Fisher, Wilson, Schmidt, Prentice, Wood, Cooper, R. Meyers, Heavey, Chandler, R. Johnson, Forner, P. Johnson, Mitchell, Brough, Haugen, Zellinsky, Jones, Kremen, Cantwell, Holland, Rasmussen, Nealey, Paris, Horn and Ferguson

Asking Congress to make motor fuel tax moneys available to the states for highway work.

Referred to Committee on Transportation.

HJM 4013 by Representatives Valle, Horn, Rust, Phillips, Pruitt, Van Luven, Edmondson, Brekke, Sprenkle, Holland, Paris and Nelson

Requesting that Congress give preferential treatment to employer-provided benefits that encourage the reduced use of automobiles.

Referred to Committee on Transportation.

HJM 4014 by Representatives D. Sommers, Ferguson, Beck, Hochstatter, Fuhrman, Moyer, Casada, Wilson, Brough, Nealey, Paris and Horn

Requesting that Congress propose a constitutional amendment to limit congressional terms to twelve years.

Referred to Committee on State Government.

SSB 5020 by Committee on Governmental Operations (originally sponsored by Senator L. Smith)

Changing per diem compensation for certain local officials.

Referred to Committee on Local Government.

SB 5023 by Senators Talmadge and Nelson

Providing expenses for defending against frivolous court actions.

Referred to Committee on Judiciary.

SSB 5082 by Committee on Environment & Natural Resources (originally sponsored by Senators Bauer, L. Smith and Oke)

Requiring licenses for professional salmon fishing guides.

Referred to Committee on Fisheries & Wildlife.

#### MOTION

On motion of Mr. Wineberry, the bills and memorials listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

#### REPORTS OF STANDING COMMITTEES

February 12, 1991

HB 1196 Prime Sponsor, Representative Bray: Establishing the Washington State centers for environmental and molecular sciences at Washington State University/Tri-Cities. Reported by Committee on Energy & Utilities

MAJORITY recommendation: That Substitute House Bill No. 1196 be substituted therefor, and the substitute bill do pass. Signed by Representatives Grant, Chair; H. Myers, Vice Chair; May, Ranking Minority Member;

Hochstatter, Assistant Ranking Minority Member; Bray; Casada; Cooper; R. Fisher; Jacobsen; and Rayburn.

Excused: Representatives R. Fisher and Miller.

Passed to Committee on Rules for second reading.

February 12, 1991

HB 1199 Prime Sponsor, Representative Haugen: Authorizing local law and justice councils. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1199 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Excused: Representatives Nelson; Rayburn; and Wood.

Passed to Committee on Rules for second reading.

February 11, 1991

HB 1256 Prime Sponsor, Representative Jones: Allowing teachers continuing education credit for internships with private and public sector organizations. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1256 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Broback; Brumsickle; Cole; Dorn; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Voting nay: Representative Betrozoff.

Excused: Representative Holland.

Referred to Committee on Appropriations.

February 13, 1991

HB 1263 Prime Sponsor, Representative Peery: Eliminating the citizenship requirement for teachers. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betrozoff; Cole; Dorn; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; H. Sommers; and Valle.

Excused: Representatives Vance, Assistant Ranking Republican Member; Brumsickle; and Holland.

Passed to Committee on Rules for second reading.

February 12, 1991

HB 1280 Prime Sponsor, Representative Heavey: Increasing industrial insurance partial disability awards. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Referred to Committee on Appropriations.

February 12, 1991

HB 1283 Prime Sponsor, Representative Cole: Revising provisions for maintaining employee benefits for temporarily disabled workers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Vance; and Wilson.

Passed to Committee on Rules for second reading.

February 12, 1991

HB 1285 Prime Sponsor, Representative Franklin: Providing for payments for time lost from work while attending a medical examination for industrial insurance. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 20, after "(4)" insert "(a)"

On page 2, line 24, strike "(a)" and insert "(i)"

On page 2, line 28, strike "(b)" and insert "(ii)"

On page 2, after line 30, insert the following:

"(b) This subsection (4) shall apply to all claims regardless of the date of injury."

Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Passed to Committee on Rules for second reading.

February 12, 1991

HB 1387 Prime Sponsor, Representative R. King: Combining federal and state permit appeal processes. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 8, after "combined" strike ", at the sole discretion of the permit applicant,"

On page 1, line 10, after "permits" insert "to the pollution control hearings board"

On page 1, line 11, after "facilities" insert "if the appeals on any permits under this section are filed with the pollution control hearings board and shorelines hearings board within the same thirty-day period"

On page 2, beginning on line 2, after "combined" strike ", at the sole discretion of the permit applicant,"

On page 2, line 4, after "permits" insert "to the pollution control hearings board"

On page 2, line 5, after "facilities" insert "if the appeals on any permits under this section are filed with the pollution control hearings board and shorelines hearings board within the same thirty-day period"

Signed by Representatives R. King, Chair; Morris, Vice Chair; Fuhrman, Assistant Ranking Minority Member; Basich; Cole; Hochstatter; Orr; and Padden.

MINORITY recommendation: Do not pass. Signed by Representatives Wilson, Ranking Minority Member; Haugen; and Spanel.

Passed to Committee on Rules for second reading.

February 12, 1991

HB 1391 Prime Sponsor, Representative Paris: Prescribing penalties for violations of laws requiring motor vehicle liability insurance. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Broback, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Anderson; Dorn; Inslee; R. Johnson; R. Meyers; Paris; Schmidt; Scott; and Winsley.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Wineberry, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

## MOTIONS

On motion of Mr. Wineberry, House Bill No. 1684 was referred from Committees on State Government/Appropriations to Committees on Human Services/Appropriations.

On motion of Mr. Wineberry, House Bill No. 1708 was referred from Committee on Judiciary to Committee on Trade & Economic Development.

On motion of Mr. Wineberry, House Bill No. 1735 was referred from Committee on Health Care to Committee on Appropriations.

On motion of Mr. Wineberry, House Bill No. 1749 was referred from Committees on Education/Appropriations to Committees on Human Services/Appropriations.

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

## MOTION

On motion of Mr. Wineberry, the House adjourned until 10:00 a.m., Friday, February 15, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**THIRTY-THIRD DAY**-----  
**MORNING SESSION**  
-----

House Chamber, Olympia, Friday, February 15, 1991

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Braddock, Brough, Day, G. Fisher, Locke, Morris, Pruitt, Rust, Silver, H. Sommers and Spanel. On motion of Ms. Casada, Representatives Brough and Silver were excused. On motion of Ms. Cole, Representatives Day, Locke, Pruitt and Spanel were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jim Butler and Adimika Meadows. Prayer was offered by The Reverend Randy Burtis, Minister of the Neighborhood Christian Center of Olympia.

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

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

**INTRODUCTIONS AND FIRST READING**

HB 1926 by Representatives Haugen, Forner, Cantwell, Ballard, Locke, Anderson, Holland, Vance, May, Broback, D. Sommers, Wilson, Beck, Mitchell, Ferguson, Wynne and Rasmussen

AN ACT Relating to purchasing services by contract; amending RCW 28B.16.040, 28B.16.240, and 41.06.380; adding a new section to chapter 43.19 RCW; adding a new section to chapter 28B.16 RCW; and creating a new section.

Referred to Committee on Trade & Economic Development.

HB 1927 by Representatives Nelson, Brough, Haugen and Holland

AN ACT Relating to metropolitan municipal corporations; amending RCW 36.56.010 and 36.56.040; and repealing RCW 36.56.020, 36.56.030, and 36.56.900.

Referred to Committee on Local Government.

HB 1928 by Representatives G. Fisher, Zellinsky, Brough, Haugen, Ferguson, Hine and Horn

AN ACT Relating to fees based on gross receipts imposed by port districts; adding a new section to chapter 14.08 RCW; adding a new section to chapter 53.08 RCW; and declaring an emergency.

Referred to Committee on Local Government.

HB 1929 by Representatives Valle, D. Sommers, Franklin, Rasmussen, Heavey, Orr and Jacobsen

AN ACT Relating to personal service contracts; and adding a new section to chapter 39.29 RCW.

Referred to Committee on Appropriations.

HB 1930 by Representatives Franklin, Winsley and Ebersole

AN ACT Relating to drainage districts; and adding a new section to chapter 85.06 RCW.

Referred to Committee on Local Government.

HB 1931 by Representatives Brough, Grant, Brumsickle, Broback, Neher, Morris, Mielke, Cantwell, Chandler, Van Luven, D. Sommers, Holland, Wilson, Bowman, Mitchell, Ferguson, Wynne and Forner

AN ACT Relating to limits on raffles conducted by nonprofit organizations; and amending RCW 9.46.0315, 9.46.0321, and 9.46.110.

Referred to Committees on Commerce & Labor/Revenue.

HB 1932 by Representatives Locke, Appelwick, H. Sommers, Wineberry, Anderson, Ferguson, Brough, May, Paris, Mitchell, Phillips, O'Brien, Nelson, Forner and Jacobsen

AN ACT Relating to excess levies by school districts; and amending RCW 84.52.0531.

Referred to Committees on Education/Appropriations.

HB 1933 by Representatives Van Luven, Anderson, Inslee, Mielke, Zellinsky, Broback, Edmondson, Chandler, Ferguson, Wynne and Brekke

AN ACT Relating to the cancellation of or refusal to renew health care services insurance policies due to the submitting of claims; adding a new section to chapter 48.18 RCW; and adding new sections to chapter 48.44 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1934 by Representatives Van Luven, Heavey, D. Sommers, Kremen, Chandler, Horn, G. Fisher, Basich, Orr, Forner, Wood, Nelson,

Prince, Schmidt, Wilson, Betzoff, Cooper, Winsley, Paris, Ferguson, Brekke and Jacobsen

AN ACT Relating to pedestrians; and amending RCW 46.61.055 and 46.61.060.

Referred to Committee on Transportation.

HB 1935 by Representatives McLean, Rayburn, Ballard, Grant, Chandler, Van Luven, Edmondson, Padden, Rasmussen, R. Johnson, Holland, Wilson and Bowman

AN ACT Relating to the recovery of damages incurred by the agricultural industry; adding a new section to chapter 43.10 RCW; creating a new section; and making an appropriation.

Referred to Committees on Agriculture & Rural Development/Appropriations.

HB 1936 by Representatives Dorn, Ferguson, Jacobsen, Orr, Grant, Roland, Rasmussen, Winsley, Broback and Rayburn

AN ACT Relating to college and university admission standards; and amending RCW 28B.80.350.

Referred to Committee on Higher Education.

HB 1937 by Representatives Dorn, Brough, Cole, Tate, Jones, Roland, Anderson, Orr, Rasmussen, Riley, Ferguson, Holland, Wilson, Rayburn, Franklin and Pruitt

AN ACT Relating to vocational and applied technology education; adding new sections to chapter 28A.300 RCW; adding a new section to chapter 28A.630 RCW; adding a new section to chapter 28A.150 RCW; making appropriations; providing an effective date; and declaring an emergency.

Referred to Committees on Education/Appropriations.

HB 1938 by Representatives Fraser, Grant, May, Winsley, Roland, Riley, Miller, Phillips, O'Brien, Rasmussen, Sheldon, Basich, Ogden, Orr, Bray, Pruitt and Sprengle

AN ACT Relating to state-wide implementation of enhanced 911; amending RCW 38.52.030, 82.14B.010, 82.14B.020, 82.14B.030, 82.14B.040, 82.14B.090, and 82.14B.100; adding new sections to chapter 38.52 RCW; and repealing RCW 80.36.550, 80.36.5501, and 82.14B.080.

Referred to Committees on Energy & Utilities/Revenue.

HB 1939 by Representatives Anderson, Miller, H. Sommers, Brough, Fraser and Brekke

AN ACT Relating to change of name upon marriage; and adding a new section to chapter 26.04 RCW.

Referred to Committee on Judiciary.

HB 1940 by Representatives Scott, Cole, Leonard, Winsley, Bowman, Rayburn, O'Brien and Rasmussen

AN ACT Relating to citizen foster care review boards operating under the jurisdiction of superior courts; amending RCW 13.70.005, 13.70.010, and 13.70.110; reenacting and amending RCW 13.34.130; adding a new section to chapter 13.70 RCW; repealing RCW 13.70.900; making an appropriation; and declaring an emergency.

Referred to Committee on Human Services.

HB 1941 by Representatives Bowman, Leonard, Moyer, Winsley, Paris and Mitchell

AN ACT Relating to the receipt of income from internship employment related to job training programs; adding new sections to chapter 74.04 RCW; and creating new sections.

Referred to Committee on Human Services.

HB 1942 by Representatives Bowman, Hargrove, McLean, Broback, Holland, Paris, Beck, Wilson and Miller

AN ACT Relating to organization of the liquor control board; amending RCW 66.04.010, 66.08.012, 66.08.014, 66.08.020, 66.08.028, 66.08.030, 66.08.050, 66.08.070, 66.08.130, 66.08.140, 66.08.150, 66.08.170, 66.08.180, 66.08.220, 66.12.140, 66.16.010, 66.20.070, 66.20.080, 66.24.010, 66.44.010, 43.03.028, 43.17.010, and 43.17.020; reenacting and amending RCW 66.20.010 and 42.17.2401; adding new sections to chapter 66.08 RCW; creating new sections; repealing RCW 66.08.016; providing an expiration date; and declaring an emergency.

Referred to Committee on State Government.

HB 1943 by Representatives Orr, Hochstatter, Dorn, Riley, Day, Winsley, Morton, Van Luven, Chandler, Morris, Haugen, Lisk, Ebersole, R. King, R. Johnson, Mitchell, Rasmussen and Jacobsen

AN ACT Relating to assault of wildlife agents; and adding a new section to chapter 77.16 RCW.

Referred to Committee on Fisheries & Wildlife.

HB 1944 by Representatives Orr, Rasmussen, Riley, D. Sommers, Van Luven, Roland, Zellinsky, Ludwig, Inslee and Jacobsen

AN ACT Relating to alcoholic beverage control; adding a new section to chapter 66.44 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1945 by Representatives Ogden, Casada, Edmondson, Peery, Basich, H. Myers, R. Meyers, Orr, Cooper, R. Johnson, Winsley, Wang, Mitchell, Cantwell and Brekke

AN ACT Relating to opportunities for instruction in braille; adding a new section to chapter 28A.320 RCW; and adding a new section to chapter 28A.405 RCW.

Referred to Committee on Education.

HB 1946 by Representatives Ogden, Cooper, H. Myers, Morris, Peery and Riley

AN ACT Relating to the Erwin O. Rieger Memorial Highway; and amending RCW 47.17.640.

Referred to Committee on Transportation.

HB 1947 by Representatives G. Fisher and Sprenkle

AN ACT Relating to recyclable materials; amending RCW 81.77.150; adding a new section to chapter 36.58 RCW; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Environmental Affairs.

HB 1948 by Representatives Braddock, Fraser, Pruitt, Brekke and Jacobsen

AN ACT Relating to constraint of trade for dental hygiene services; adding a new section to chapter 18.29 RCW; and creating a new section.

Referred to Committee on Health Care.

HB 1949 by Representative Braddock

AN ACT Relating to the motel/hotel tax; adding a new section to chapter 67.28 RCW; and providing an expiration date.

Referred to Committee on Revenue.

HB 1950 by Representatives Horn, Haugen, Ferguson, Cooper, Nelson, Mitchell, Phillips, Neher, May, Holland, Zellinsky, Wood, Bray, Van Luven, Roland, Wynne, Vance, Nealey, Franklin, Rayburn, Brumsickle, Paris, Wilson, Edmondson and Forner

AN ACT Relating to the relationship between city libraries and county rural library districts; and adding a new section to chapter 27.12 RCW.

Referred to Committee on Local Government.

HB 1951 by Representatives Horn, Peery, Brough, Pruitt, Betrozoff, Orr, Ferguson, G. Fisher, May, Jones, Holland, Van Luven, Wood, Roland, P. Johnson, Wynne, Vance, Nealey, Broback, Phillips, Brumsickle, Zellinsky, Winsley, Mitchell and Forner

AN ACT Relating to transfers of school district territory; and amending RCW 28A.315.120, 28A.315.140, and 28A.315.280.

Referred to Committee on Education.

HB 1952 by Representatives Rasmussen, R. King, Cole, Ferguson, Leonard, Holland, G. Fisher, Winsley, Heavey, May, Phillips, R. Fisher, Fuhrman, Lisk and Sheldon

AN ACT Relating to industrial insurance coverage for jockeys and apprentice jockeys; amending RCW 51.08.070, 51.16.210, 67.16.300, and 51.12.020; adding a new section to chapter 51.16 RCW; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1953 by Representative Appelwick

AN ACT Relating to minimum bonding requirements for for hire vehicle operators; and amending RCW 46.72.040.

Referred to Committee on Transportation.

HB 1954 by Representatives Rayburn, Nealey, McLean, R. Johnson, Chandler, Kremen, D. Sommers, Ballard, Roland, Bowman, Grant, Inslee, Rasmussen and Sheldon

AN ACT Relating to agricultural nuisances; amending RCW 7.48.305; adding a new section to chapter 7.48 RCW; and repealing RCW 7.48.310.

Referred to Committee on Agriculture & Rural Development.

HB 1955 by Representatives Rayburn, Nealey, Kremen, McLean, Roland, Inslee, Rasmussen, Basich and Brekke; by request of Department of Agriculture

AN ACT Relating to the uniform Washington food, drug, and cosmetic act; amending RCW 69.04.001, 69.04.110, 69.04.120, 69.04.398, and 69.04.780; adding a new section to chapter 69.04 RCW; and prescribing penalties.

Referred to Committee on Agriculture & Rural Development.

HB 1956 by Representatives Rayburn, Nealey, McLean, Kremen, Chandler, Roland and Rasmussen; by request of Department of Agriculture

AN ACT Relating to protection of the plant industry; amending RCW 15.09.080 and 43.06.010; adding new sections to chapter 17.24 RCW; creating a new section; repealing RCW 17.24.005, 17.24.030, 17.24.035, 17.24.060, 17.24.070, 17.24.080, 17.24.100, 17.24.105, 17.24.110, 17.24.120, 17.24.130, 17.24.140, 17.24.200, 17.24.210, 69.07.090, and 69.07.130; and prescribing penalties.

Referred to Committee on Agriculture & Rural Development.

HB 1957 by Representatives Rayburn, Nealey, McLean, Chandler, Roland, Franklin and Rasmussen; by request of Department of Agriculture

AN ACT Relating to food processing; amending RCW 69.07.010, 69.07.040, 69.07.050, and 69.07.060; adding new sections to chapter 69.07 RCW; repealing RCW 69.07.090 and 69.07.130; and prescribing penalties.

Referred to Committee on Agriculture & Rural Development.

HB 1958 by Representatives Rayburn, Nealey, McLean, Chandler, Roland, Franklin and Rasmussen; by request of Department of Agriculture

AN ACT Relating to livestock; amending RCW 16.57.080, 16.57.160, 16.57.240, 16.57.280, 16.57.360, and 16.57.380; and prescribing penalties.

Referred to Committee on Agriculture & Rural Development.

HB 1959 by Representatives Hargrove, Winsley and Heavey

AN ACT Relating to collective bargaining for local government correctional and radio dispatch employees; and amending RCW 41.56.030.

Referred to Committee on Commerce & Labor.

HB 1960 by Representatives Prentice, Paris, Day, Braddock, Cantwell, Edmondson, Franklin, Morris, Phillips, Pruitt, Basich, Leonard, Orr, Wood, R. Johnson, Heavey, Wineberry, May, D. Sommers, Beck and Dellwo

AN ACT Relating to health professions regulation; and amending RCW 18.130.180.

Referred to Committee on Health Care.

HB 1961 by Representatives Wineberry, Heavey, Prentice, R. King, Wang, Jones, Franklin, Cole, Phillips, Anderson, Locke, Fraser, Leonard, Belcher, Brekke, Basich, Scott, Cantwell, Jacobsen, Ebersole, Riley, R. Fisher, Pruitt, G. Fisher and Nelson

AN ACT Relating to agricultural labor relations; adding a new chapter to Title 49 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

**HB 1962** by Representatives Mielke, Hargrove, Tate, Riley, Appelwick, Winsley, McLean, Ludwig, Kremen, Vance, R. Meyers, Zellinsky, Hochstatter, Beck, Heavey, P. Johnson, Broback, Orr, Sheldon, Nelson, Dellwo, Brekke, Jacobsen, Locke, Anderson, Dorn, R. Johnson, Day, Peery, Scott, Brumsickle, Leonard, Former, Casada, Edmondson, Silver, Padden, Paris, Lisk, Fuhrman, Morton, May, Mitchell, Chandler, Nealey, Betrozoff, Moyer, Ballard, Horn, D. Sommers, Neher, Wood, Holland, Van Luven, Bowman, Ferguson, Wynne, Miller and Inslee

AN ACT Relating to earned early release time; and amending RCW 9.94A.150, 9.95.070, and 72.09.130.

Referred to Committee on Human Services.

**HB 1963** by Representatives Rasmussen, Rayburn, Grant, McLean, Dorn and Roland

AN ACT Relating to the department of agriculture; and adding a new section to chapter 43.23 RCW.

Referred to Committee on Agriculture & Rural Development.

**HB 1964** by Representative Appelwick

AN ACT Relating to the uniform commercial code, amending RCW 62A.1-201, 62A.1-207, 62A.3-101, 62A.3-102, 62A.3-103, 62A.3-104, 62A.3-105, 62A.3-106, 62A.3-107, 62A.3-108, 62A.3-109, 62A.3-110, 62A.3-111, 62A.3-112, 62A.3-113, 62A.3-114, 62A.3-115, 62A.3-116, 62A.3-117, 62A.3-118, 62A.3-119, 62A.3-201, 62A.3-202, 62A.3-203, 62A.3-204, 62A.3-205, 62A.3-206, 62A.3-207, 62A.3-301, 62A.3-302, 62A.3-303, 62A.3-304, 62A.3-305, 62A.3-306, 62A.3-307, 62A.3-401, 62A.3-402, 62A.3-403, 62A.3-404, 62A.3-405, 62A.3-406, 62A.3-407, 62A.3-408, 62A.3-409, 62A.3-410, 62A.3-411, 62A.3-412, 62A.3-413, 62A.3-414, 62A.3-415, 62A.3-416, 62A.3-417, 62A.3-418, 62A.3-419, 62A.3-501, 62A.3-502, 62A.3-503, 62A.3-504, 62A.3-505, 62A.3-601, 62A.3-602, 62A.3-603, 62A.3-604, 62A.3-605, 62A.4-101, 62A.4-102, 62A.4-103, 62A.4-104, 62A.4-105, 62A.4-106, 62A.4-107, 62A.4-108, 62A.4-201, 62A.4-202, 62A.4-203, 62A.4-204, 62A.4-205, 62A.4-206, 62A.4-207, 62A.4-208, 62A.4-209, 62A.4-210, 62A.4-211, 62A.4-212, 62A.4-213, 62A.4-214, 62A.4-301, 62A.4-302, 62A.4-303, 62A.4-401, 62A.4-402, 62A.4-403, 62A.4-405, 62A.4-406, 62A.4-407, 62A.4-501, 62A.4-502, 62A.4-503, and 62A.4-504; adding new sections to Title 62A RCW; creating a new section; and repealing RCW 62A.3-120, 62A.3-121, 62A.3-122, 62A.3-208, 62A.3-506, 62A.3-507, 62A.3-508, 62A.3-509, 62A.3-510, 62A.3-511, 62A.3-512, 62A.3-515, 62A.3-520, 62A.3-522, 62A.3-525, 62A.3-606, 62A.3-701, 62A.3-801, 62A.3-802, 62A.3-803, 62A.3-804, 62A.3-805, and 62A.4-109.

Referred to Committee on Financial Institutions & Insurance.

HB 1965 by Representatives Prentice, Leonard, Sprenkle, Anderson, Grant, Paris, Beck, Moyer, Locke, R. King, Mitchell, Phillips, Winsley, Rasmussen, Sheldon, Nelson, Spanel and Brekke

AN ACT Relating to identifying and providing services to infants and toddlers with special health care needs; adding new sections to chapter 43.70 RCW; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committees on Health Care/Appropriations.

HB 1966 by Representatives Morton, Riley, Edmondson, Haugen, Basich, Mielke, Kremen, Brumsickle, Holland, Neher, Chandler, Sheldon, Rayburn, Lisk, Fuhrman, P. Johnson, Zellinsky, R. Johnson, Broback, D. Sommers, Ballard, Bowman, Ludwig, Tate and Brough

AN ACT Relating to authorizing law enforcement agencies to trade surplus firearms to licensed dealers in exchange for police equipment; and amending RCW 9.41.098.

Referred to Committee on Judiciary.

HB 1967 by Representatives Morton, Edmondson, Fuhrman, Basich, Brumsickle, Chandler, Holland, Rayburn, Lisk, P. Johnson and Kremen

AN ACT Relating to land purchases and exchanges; adding a new section to chapter 77.12 RCW; and adding a new section to chapter 79.08 RCW.

Referred to Committee on Natural Resources & Parks.

#### MOTION

On motion of Mr. Ebersole, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

#### REPORTS OF STANDING COMMITTEES

February 12, 1991

HB 1044 Prime Sponsor, Representative Fraser: Including sick leave benefits in the shared leave program. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 1044 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member;

Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Excused: Representative O'Brien.

Referred to Committee on Appropriations.

February 12, 1991

HB 1049 Prime Sponsor, Representative Cole: Authorizing the disposal of seized liquor by the agency seizing the liquor. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Passed to Committee on Rules for second reading.

February 13, 1991

HB 1072 Prime Sponsor, Representative McLean: Changing provisions relating to elections. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Passed to Committee on Rules for second reading.

February 12, 1991

HB 1084 Prime Sponsor, Representative Franklin: Modifying provisions relating to minors on liquor establishments. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; and Vance.

Passed to Committee on Rules for second reading.

February 12, 1991

HB 1117 Prime Sponsor, Representative R. King: Concerning the registration of engineers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk,

Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Passed to Committee on Rules for second reading.

February 13, 1991

HB 1193 Prime Sponsor, Representative Zellinsky: Modifying compensation conditions for fire commissioners who serve as volunteer fire fighters. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Bray; Edmondson; Franklin; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; and Horn.

Excused: Representative Nelson.

Passed to Committee on Rules for second reading.

February 12, 1991

HB 1203 Prime Sponsor, Representative R. King: Revising provisions for registration of landscape architects. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Passed to Committee on Rules for second reading.

February 14, 1991

HB 1325 Prime Sponsor, Representative Rasmussen: Regulating certain nonmunicipal water systems. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Grant, Chair; H. Myers, Vice Chair; May, Ranking Minority Member; Bray; Cooper; R. Fisher; Jacobsen; and Rayburn.

MINORITY recommendation: Do not pass. Signed by Representatives Hochstatter, Assistant Ranking Minority Member; and Casada.

Excused: Representatives R. Fisher; Jacobsen; and Miller.

Passed to Committee on Rules for second reading.

February 13, 1991

HB 1328 Prime Sponsor, Representative H. Sommers: Funding special educational services demonstration projects. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1328 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betzoff; Broback; Cole; Dorn; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Excused: Representatives Betzoff; Brumsickle; and Holland.

Referred to Committee on Appropriations.

February 13, 1991

HB 1329 Prime Sponsor, Representative H. Sommers: Authorizing special educational services demonstration projects. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1329 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Betzoff; Broback; Cole; Dorn; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Excused: Representatives Brumsickle and Holland.

Passed to Committee on Rules for second reading.

February 12, 1991

HB 1342 Prime Sponsor, Representative Kremen: Authorizing cities to impose an excise tax on the sale of distribution of motor vehicle fuel and special fuel. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 1342 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Chandler, Assistant Ranking Minority Member; Basich; Cantwell; Cooper; Day; Haugen; Heavey; P. Johnson; R. Johnson; Jones; Kremen; Nelson; Orr; and Zellinsky.

MINORITY recommendation: Without recommendation. Signed by Representatives Brough; G. Fisher; Forner; Mitchell; Schmidt; and Wood.

Voting nay: Representatives Betrozoff, Ranking Minority Member; Brough; Cooper; Day; G. Fisher; Forner; Heavey; Jones; Mitchell; Prentice; Prince;;Schmidt; S. Wilson; and Wood.

Excused: Representative Horn.

Passed to Committee on Rules for second reading.

February 12, 1991

HB 1446 Prime Sponsor, Representative Fuhrman: Pertaining to professional licensing. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Passed to Committee on Rules for second reading.

February 12, 1991

HB 1447 Prime Sponsor, Representative Cole: Changing the regulatory charge paid by cemetery authorities. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Passed to Committee on Rules for second reading.

February 13, 1991

HB 1523 Prime Sponsor, Representative Day: Establishing regional service centers for the deaf. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Referred to Committee on Appropriations.

February 12, 1991

HB 1733 Prime Sponsor, Representative R. King: Removing industrial insurance premium liability of workers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Vance; and Wilson.

Referred to Committee on Appropriations.

#### MOTION

On motion of Mr. Ebersole, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

#### SECOND READING

#### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1060 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1060, by Representatives Ludwig, Padden, R. Meyers, Orr, Winsley and Sheldon

Requiring the notice to the creditors of a deceased person to be filed with the clerk of the court.

The bill was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Padden and Ludwig spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1060, and the bill passed the House by the following vote: Yeas - 87, Nays - 0, Absent - 5, Excused - 6.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Bray, Brekke, Broback, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk,

Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Rasmussen, Rayburn, Riley, Roland, Schmidt, Scott, Sheldon, Sommers, D., Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 87.

Absent: Representatives Braddock, Fisher, G., Morris, Rust, Sommers, H. - 05.

Excused: Representatives Brough, Day, Locke, Pruitt, Silver, Spanel - 06.

House Bill No. 1060, having received the constitutional majority, was declared passed.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Representatives Braddock, Brough, G. Fisher, Locke, Morris, Pruitt, Rust, H. Sommers and Spanel appeared at the bar of the House.

#### MOTION

Mr. Ebersole moved that the House immediately consider the following bills on the regular second reading calendar in the following order: House Bill No. 1112, House Bill No. 1143, House Bill No. 1176, House Bill No. 1182 and House Bill No. 1206. The motion was carried.

HOUSE BILL NO. 1112, by Representatives Ferguson, Belcher, Brumsickle, R. King, Rasmussen and Miller

Providing for environmental interpretation in state parks.

The bill was read the second time. On motion of Ms. Belcher, Substitute House Bill No. 1112 was substituted for House Bill No. 1112, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1112 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Ferguson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1112, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey,

Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Day, Silver - 02.

Substitute House Bill No. 1112, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1143, by Representatives Wood, Jacobsen, Schmidt, May, Miller, Paris, Jones, Beck, Spanel, Fuhrman, Haugen, Heavey, Winsley, Former, Mitchell, Betrozoff and Wynne

Authorizing honorary degrees.

The bill was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Wood spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1143, and the bill passed the House by the following vote: Yeas - 95, Nays - 1, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Locke - 01.

Excused: Representatives Day, Silver - 02.

Substitute House Bill No. 1143, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1176, by Representatives Leonard, Holland, Peery, Brough, Cole, Former, Rayburn, Vance, Brumsickle, Jones, Miller, Fuhrman, Phillips, Winsley, Paris and Betrozoff

Specifying timing and voting on filling school board vacancies.

The bill was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Leonard and Holland spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1176, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Berozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Day, Silver - 02.

House Bill No. 1176, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1182, by Representatives Wineberry, Padden, Van Luven, Riley, Orr and Rasmussen

Restructuring penalties for driving while suspended.

The bill was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wineberry and Padden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1182, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Berozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell,

Casada, Chandler, Cole, Cooper, Dellwo, Dorn, Ebersole; Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Day, Silver - 02.

House Bill No. 1182, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1206, by Representatives Jones, Fuhrman, R. King and Winsley; by request of Department of Labor & Industries

Establishing a procedure for collecting overpayments and allowing eligible surviving spouses to choose a lump sum payment equal to two years of monthly payments.

The bill was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Jones and Fuhrman spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1206, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Day, Silver - 02.

House Bill No. 1206, having received the constitutional majority, was declared passed.

## MOTION

Mr. Ebersole moved that the House immediately consider the following bills on the regular second reading calendar in the following order: House Bill No. 1470, House Bill No. 1267 and House Bill No. 1273. The motion was carried.

HOUSE BILL NO. 1470, by Representatives Ogden, Brough, H. Sommers, Jacobsen, Schmidt, Wynne, Paris, May, Haugen, Betrozoff, Winsley, Edmondson, Cooper, Wilson, Forner, D. Sommers, Tate, Mitchell, Fraser, Spanel and R. Johnson; by request of Department of Community Development

Making appropriations for public works projects.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ogden and Zellinsky spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1470, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hinc, Hochstatter, Holland, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Day, Silver - 02.

House Bill No. 1470, having received the constitutional majority, was declared passed.

## MOTION

Mr. Ebersole moved that the House defer consideration of the remaining bills on the regular second reading calendar. The motion was carried.

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

## RESOLUTION

HOUSE RESOLUTION NO. 91-4621, by Representatives Hine, Miller, Spanel, Lisk, Tate, P. Johnson, Winsley, Forner, Bowman, Mitchell, Ferguson and Edmondson

WHEREAS, Friday, February 15, 1991, marks the one hundred seventy-first anniversary of the birth of Susan Brownell Anthony, reformer and leader of women's suffrage; and

WHEREAS, Susan B. Anthony defied male electioneers and faced indictment for illegally voting in 1872; and

WHEREAS, Susan B. Anthony was director of the Female Department of the Canajoharie Academy in New York until she abandoned her career in education to devote her life to social reform, first organizing the Woman's State Temperance Society of New York; and

WHEREAS, Susan B. Anthony, along with Elizabeth Cady Stanton, founded in 1863 the Woman's Loyal National League to petition Congress to advocate full civil and political rights for women, as well as for blacks, when the Civil War ended; and

WHEREAS, In 1866, Susan B. Anthony and other reformers formed the Equal Rights Association to further their campaign for women's suffrage; and

WHEREAS, The reformers took their suffrage campaign in 1867 to the New York State Constitutional Convention, where the state legislature refused to consider the issue, but instead gave considerable support to legislation legalizing prostitution; and

WHEREAS, Susan B. Anthony and her suffragettes fought back with lobbying efforts that killed the prostitution bill in committee and eventually secured the first laws in New York state to guarantee women's rights over their children and control over their property and wages; and

WHEREAS, Susan B. Anthony organized the National Woman Suffrage Association that later united with the American Woman Suffrage Association to form the National American Woman Suffrage Association; and

WHEREAS, During the presidential campaign in 1872, Susan B. Anthony urged women in every state in the union to claim their rights under the Fourteenth and Fifteenth Amendments of the United States Constitution by registering and voting; and

WHEREAS, In a colorful display of her remarkable courage, Susan B. Anthony and her three sisters boldly entered a stronghold of men in a Rochester, New York barbershop in 1872 and insisted that they be registered to vote under provisions of the Fourteenth Amendment; and

WHEREAS, On November 5, 1872, Susan B. Anthony entered her polling place, voted the Republican ticket, then was charged and indicted for voting illegally; and

WHEREAS, In another display of determination, Susan B. Anthony refused to pay her streetcar fare when the deputy marshall carted her off to jail, announcing loudly enough for all passengers to hear, "I'm travelling at the expense of this government. This gentleman is taking me to jail. Ask him for my fare!";

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor Susan B. Anthony and remember her for and emulate her in her dedication to social reform that led to the passage of the women's suffrage amendment (Nineteenth Amendment) to the United States Constitution in 1920; and

BE IT FURTHER RESOLVED, That Susan B. Anthony be remembered for her courage and determination to work for equal rights for all citizens of America as reflected in her statement: "It was we the people, not we the white male citizens, nor yet we the male citizens, but we the whole people, who formed this Union. And we formed it not to give the blessings of liberty, but to secure them, not to the half of ourselves and the half of our posterity, but to the whole people -- women as well as men."

Ms. Hine moved adoption of the resolution. Representatives Hine, Miller, Brough and Moyer spoke in favor of the resolution.

House Resolution No. 91-4621 was adopted.

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

#### MOTION

On motion of Mr. Dorn, the House adjourned until 10:00 a.m., Monday, February 18, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**THIRTY-SIXTH DAY**

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**MORNING SESSION**

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House Chamber, Olympia, Monday, February 18, 1991

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Appelwick, Brekke, Locke, Silver, H. Sommers and Wang. On motion of Mr. Bray, Representatives Appelwick and Wang were excused. On motion of Mr. Vance, Representative Silver was excused.

The flag was escorted to the rostrum by Josiah Bartlett and Tom Bristol, members of Boy Scout Troop 29 of Arlington. Prayer was offered by Father Gary Zender, St. Michael's Catholic Church of Olympia.

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

**MESSAGES FROM THE SENATE**

February 14, 1991

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4408,  
HOUSE CONCURRENT RESOLUTION NO. 4409,

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

February 15, 1991

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 5221,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5263,  
SENATE BILL NO. 5389,

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

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

## RESOLUTION

HOUSE RESOLUTION NO. 91-4624, by Representatives R. Johnson, Braddock, Kremen, Haugen, Spanel, Wynne, Sprengle and Wilson

WHEREAS, Western Washington experienced severe flooding during November and December of 1990; and

WHEREAS, Flooding in northwest Washington, including Snohomish, Skagit, and Whatcom counties was extremely damaging; and

WHEREAS, Thousands of our citizens were displaced from and lost their homes during the flooding; and

WHEREAS, Total monetary damages caused by flooding is estimated to be in the hundreds of millions of dollars; and

WHEREAS, In the face of extremely adverse conditions, the people living in or near affected areas met the challenge of fighting the rising waters so that additional homes and property could be saved; and

WHEREAS, Local fire fighters and police officers served their communities above and beyond the call of duty through tireless and life threatening efforts; and

WHEREAS, Organizations ranging from the National Guard, Army Corps of Engineers, and other military services stepped forward to work around the clock; and

WHEREAS, The Red Cross established shelters for people left homeless by the carnage, and significant help came from established organizations such as the United Way, numerous area churches, hundreds of community groups, and fast assistance from area corporations; and

WHEREAS, The community spirit in each threatened town and city emerged like at no other time, where neighbor helped neighbor, community helped community, and even Mt. Vernon, Ohio, pitched in to help our state; and

WHEREAS, The true heroes of the disaster were the thousands of volunteers that gave many hours to filling and hauling sandbags, keeping hot coffee and food available for famished workers, and staying there until the job was done;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognizes and honors all the citizens of the state affected by the floods of 1990 for their perseverance in the face of hardship.

Mr. R. Johnson moved adoption of the resolution. Representatives R. Johnson and Spanel spoke in favor of the resolution.

House Resolution No. 91-4624 was adopted.

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

## INTRODUCTIONS AND FIRST READING

HB 1968 by Representatives Sprenkle, Moyer, Zellinsky, Cooper, Heavey, Wilson and Ballard

AN ACT Relating to delegation of preoperative and postoperative surgical care; amending RCW 18.130.180; adding a new chapter to Title 18 RCW; and prescribing penalties.

Referred to Committee on Health Care.

HB 1969 by Representatives Cooper and Ferguson

AN ACT Relating to amendments to the state building code; amending RCW 19.27.015 and 19.27.074; reenacting and amending RCW 19.27.060; and creating a new section.

Referred to Committee on Local Government.

HB 1970 by Representative Haugen

AN ACT Relating to water resources utilities; and adding new sections to chapter 36.32 RCW.

Referred to Committee on Local Government.

HB 1971 by Representatives Dellwo, Paris, Zellinsky, Mielke, Inslee, Day, Schmidt, Prince and Scott

AN ACT Relating to alien insurers; and adding a new chapter to Title 48 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1972 by Representatives Zellinsky, Mielke, Heavey, Day, Paris, Schmidt, Prince, Scott and Holland

AN ACT Relating to insurance; and amending RCW 48.30.190.

Referred to Committee on Financial Institutions & Insurance.

HB 1973 by Representatives Chandler, Rayburn, D. Sommers, Orr, Van Luven, Paris, McLean, Lisk, Rasmussen, Ballard, Prentice, Sheldon, Hochstatter, Tate, P. Johnson, Moyer, Bowman, Grant, Kremen, Mielke, Padden, Valle, Winsley, Fuhrman, Wynne, Inslee, Brumsickle and Silver

AN ACT Relating to establishing a six percent lid on the rate of increase in fees for water and air-related permits; adding a new section to chapter 90.03 RCW; adding a new section to chapter 90.44 RCW; adding a new section to chapter 90.48 RCW; and adding a new section to chapter 70.94 RCW.

Referred to Committees on Environmental Affairs/Revenue.

HB 1974 by Representatives Chandler, Orr, Paris, Van Luven, Rasmussen, Rayburn, Ballard, Prentice, Sheldon, Moyer, Kremen, Hochstatter, Grant, P. Johnson, Mielke, Padden, D. Sommers, Dorn, Winsley, Ludwig, Ferguson, Vance and Mitchell

AN ACT Relating to tobacco products; adding new sections to chapter 26.28 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1975 by Representatives R. Meyers and Ludwig

AN ACT Relating to paralegals; adding a new chapter to Title 18 RCW; and providing an effective date.

Referred to Committee on Judiciary.

HB 1976 by Representatives Ebersole, Wang, Jacobsen, Ludwig, Franklin, Holland, Leonard and Anderson

AN ACT Relating to educational opportunities for minority criminal justice professionals; adding a new chapter to Title 28B RCW; making appropriations; providing an effective act; and declaring an emergency.

Referred to Committees on Higher Education/Appropriations.

HB 1977 by Representatives Belcher, Prentice, Inslee, Rayburn and Rasmussen

AN ACT Relating to agricultural marketing; and amending RCW 43.63A.560.

Referred to Committee on Agriculture & Rural Development.

HB 1978 by Representatives Wood, Beck, Scott, Paris, Cantwell, Prentice, Padden, D. Sommers, Ferguson, Fuhrman, May, Horn, Silver and Rasmussen

AN ACT Relating to adult entertainment businesses; amending RCW 7.48A.010 and 7.48A.040; adding a new chapter to Title 18 RCW; adding a new section to chapter 43.43 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Judiciary.

HB 1979 by Representatives Kremen, Spanel, R. Johnson and Braddock

AN ACT Relating to higher education facilities; and amending RCW 28B.80.520.

Referred to Committee on Higher Education.

HB 1980 by Representatives Rayburn and Edmondson

AN ACT Relating to additional sales and use taxes for criminal justice purposes; and amending RCW 82.14.340.

Referred to Committees on Local Government/Revenue.

HB 1981 by Representative Rayburn

AN ACT Relating to including a statutory authorized association of irrigation districts within the public employees retirement system; and amending RCW 41.40.010.

Referred to Committee on Appropriations.

HB 1982 by Representatives Riley, Hargrove, Sheldon, Ferguson, Forner, Paris, Beck, D. Sommers, Winsley, Kremen, Roland, Ogden, Holland, Wynne, Inslee, Cooper, H. Myers, Van Luven, Orr, Rasmussen and Leonard

AN ACT Relating to victim compensation; and adding a new section to chapter 7.68 RCW.

Referred to Committee on Human Services.

HB 1983 by Representatives Kremen, Rasmussen, Wilson, Rayburn, Haugen, Dorn, R. Johnson, Bowman, Spanel, Braddock, McLean, Nealey and Chandler

AN ACT Relating to the marketing of milk; amending RCW 15.35.030, 15.35.060, 15.35.070, 15.35.080, 15.35.090, 15.35.100, 15.35.110, 15.35.120, 15.35.140, 15.35.150, 15.35.170, 15.35.180, 15.35.230, and 15.35.310; adding a new section to chapter 15.35 RCW; repealing RCW 15.35.020, 15.35.040, and 15.35.050; and declaring an emergency.

Referred to Committee on Agriculture & Rural Development.

HB 1984 by Representatives Brumsickle, Dorn, Peery and Paris; by request of Superintendent of Public Instruction and Board of Education

AN ACT Relating to certification of personnel employed in the common schools; adding new sections to chapter 28A.410 RCW; adding a new section to chapter 42.17 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on State Government.

HB 1985 by Representatives Brumsickle, Dorn, Peery, Winsley, Miller and Rasmussen; by request of Superintendent of Public Instruction and Board of Education

AN ACT Relating to teacher preparation in child abuse issues; and amending RCW 28A.305.230 and 28A.405.025.

Referred to Committee on Education.

HB 1986 by Representatives Leonard, Cooper, Prentice, Ferguson, Sprengle, Winsley, Appelwick, Braddock, Moyer, Locke, Paris, R. King, Wang, Valle, Ludwig, Kremen, Jacobsen, Dellwo, Holland, Inslee, H. Myers, Van Luven, O'Brien, Spanel, Mitchell, Brekke and Rasmussen

AN ACT Relating to protection and advocacy of the rights of developmentally disabled persons; and adding a new section to chapter 71A.10 RCW.

Referred to Committee on Human Services.

HB 1987 by Representatives R. King, Wilson, Ballard, Sheldon, Morris, Paris, McLean, Winsley, Brough, Zellinsky, Horn, Cooper, Forner, Rayburn, H. Myers, Nelson, Chandler, P. Johnson, Casada and Orr

AN ACT Relating to the payback of sport caught salmon to recreational fishers; adding new sections to chapter 75.08 RCW; and creating a new section.

Referred to Committee on Fisheries & Wildlife.

HB 1988 by Representatives Braddock, Sprengle, Anderson, Prentice, Belcher, Dellwo and Leonard

AN ACT Relating to Indian delegates in the Washington state legislature; adding new sections to chapter 44.04 RCW; creating a new section; and declaring an emergency.

Referred to Committee on State Government.

HB 1989 by Representative Jones

AN ACT Relating to violations of vehicle size and weight restrictions; and amending RCW 43.08.250.

Referred to Committees on Transportation/Revenue.

HB 1990 by Representatives Forner, Cantwell, Ferguson, Horn, Paris and Ludwig

AN ACT Relating to the small business export finance assistance center; amending RCW 43.210.030; reenacting and amending RCW 43.210.050; adding

new sections to chapter 43.210 RCW; adding new sections to chapter 43.131 RCW; creating new sections; repealing RCW 43.131.325 and 43.131.326; making an appropriation; and declaring an emergency.

Referred to Committees on Trade & Economic Development/  
Appropriations.

HB 1991 by Representatives R. Fisher, Betzoff, R. Meyers and McLean; by request of Department of Transportation

AN ACT Relating to vehicle size and weight restrictions; and amending RCW 46.44.034 and 46.44.037.

Referred to Committee on Transportation.

HB 1992 by Representatives R. Fisher, Betzoff, R. Meyers, Forner and Cantwell; by request of Department of Transportation

AN ACT Relating to advance right of way acquisition; amending RCW 47.12.242, 47.12.244, 47.12.125, and 47.12.246; and adding a new section to chapter 47.12 RCW.

Referred to Committee on Transportation.

HB 1993 by Representative Peery

AN ACT Relating to convention facilities; and amending RCW 67.28.080, 67.28.120, 67.28.130, and 67.28.170.

Referred to Committee on Capital Facilities & Financing.

HB 1994 by Representative Rust

AN ACT Relating to counties; amending RCW 36.21.011, 36.21.015, 58.08.040, 82.01.090, 84.08.130, 84.08.140, 84.12.360, 84.12.370, 84.16.090, 84.16.120, 84.16.130, 84.33.130, 84.34.230, 84.40.0301, 84.40.045, 84.40.080, 84.40.090, 84.40.170, 84.41.070, 84.44.010, 84.48.010, 84.48.050, 84.48.110, 84.48.120, 84.48.150, 84.55.005, 84.56.050, 84.56.290, 84.56.310, 84.56.340, 84.60.020, 84.60.050, 84.64.010, 84.69.020, 84.69.030, 84.69.070, 84.69.110, 84.69.120, and 84.70.010; adding a new section to chapter 82.03 RCW; adding a new section to chapter 84.48 RCW; decodifying RCW 84.28.005, 84.28.006, 84.28.010, 84.28.020, 84.28.050, 84.28.060, 84.28.063, 84.28.065, 84.28.080, 84.28.090, 84.28.095, 84.28.100, 84.28.110, 84.28.140, 84.28.150, 84.28.160, 84.28.170, 84.28.200, 84.28.205, 84.28.210, and 84.28.215; repealing RCW 36.21.020, 36.21.030, 36.21.070, 36.21.080, 36.21.090, 84.04.043, 84.08.110, 84.36.300, 84.36.310, 84.36.320, 84.36.330, 84.40.100, 84.40.150, 84.40.330, 84.40A.020, 84.40A.030, 84.40A.040, 84.40A.050, 84.41.090, 84.44.040, 84.44.060, and 84.44.070; and prescribing penalties.

Referred to Committee on Local Government.

HB 1995 by Representatives R. Fisher, Jones, Wood, R. Meyers, Horn, Wilson, Mielke and Miller

AN ACT Relating to license exemptions for certain specialized, nonpowered vehicle equipment; amending RCW 46.16.010, 46.16.030, 46.16.085, 46.87.020, and 46.87.070; and repealing RCW 46.16.083.

Referred to Committee on Transportation.

HB 1996 by Representatives Holland, McLean, Winsley, Miller and Forner

AN ACT Relating to the siting of portable school buildings by school districts; adding a new section to chapter 28A.335 RCW; adding a new section to chapter 35.22 RCW; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.32 RCW; and adding a new section to chapter 36.70 RCW.

Referred to Committee on Education.

HB 1997 by Representatives Tate, Riley, Padden, Hargrove, Mielke, Ludwig, Bowman, Dorn, Ferguson, Paris, D. Sommers, Vance, Forner, Scott, Winsley, Kremen, Broback, Brough, Roland, Jacobsen, Holland, Horn, Wynne, Morton, R. Johnson, Van Luven, Chandler, P. Johnson, Brumsickle, Silver and Rasmussen

AN ACT Relating to sex offender registration; amending RCW 9A.44.130; creating a new section; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1998 by Representatives Inslee, Rayburn and Edmondson

AN ACT Relating to economic development; adding new sections to chapter 43.31 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 1999 by Representatives Holland and Grant

AN ACT Relating to common school energy efficiency incentives; and amending RCW 28A.505.100 and 28A.505.160.

Referred to Committee on Education.

HB 2000 by Representatives Jones, Hargrove and Rasmussen

AN ACT Relating to timber sales from state lands; and adding a new section to chapter 79.01 RCW.

Referred to Committee on Trade & Economic Development.

HB 2001 by Representatives Holland, Peery, Forner, Winsley, Broback, Brough, Miller, Mitchell, Brumsickle and Rasmussen

AN ACT Relating to educational programs and funding for juveniles in detention facilities; amending RCW 28A.190.010, 28A.190.030, and 28A.190.050; and adding a new section to chapter 28A.150 RCW.

Referred to Committees on Education/Appropriations.

HJM 4015 by Representatives Nelson, Brough, R. Fisher, Betrozoff, Paris, Winsley, Heavey, Forner, Prentice, Brekke and Anderson

Asking Congress for equal tax treatment of employer-provided transportation benefits.

Referred to Committee on Transportation.

HCR 4410 by Representatives R. King, Wilson, Morris, D. Sommers, Winsley, Horn, H. Myers, Nelson and Orr

Establishing a joint select committee on salmon and steelhead recovery.

Referred to Committee on Fisheries & Wildlife.

SB 5221 by Senators Sellar and Snyder; by request of Utilities & Transportation Commission

Requiring motor carriers to submit copies of contracts with permit applications.

Referred to Committee on Transportation.

SSB 5263 by Committee on Environment & Natural Resources (originally sponsored by Senators Owen, Amondson, Snyder, Matson, Hansen, Conner, Bauer, Newhouse, Anderson and Barr)

Regulating underground storage tanks.

Referred to Committee on Environmental Affairs.

SB 5389 by Senators Sutherland, Newhouse, Barr and Hansen

Providing for filing a statement of claim for water rights.

Referred to Committee on Agriculture & Rural Development.

## MOTION

On motion of Mr. Ebersole, the bills, memorial and resolution listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

## REPORTS OF STANDING COMMITTEES

February 13, 1991

HB 1019 Prime Sponsor, Representative Brough: allowing fees for efforts to prevent aquifer depletion. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1019 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Excused: Representatives Horn, Nelson, Roland and Wood.

Passed to Committee on Rules for second reading.

February 13, 1991

HB 1031 Prime Sponsor, Representative Wood: Making various changes in sewer and water district law. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1031 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Excused: Representative Nelson.

Passed to Committee on Rules for second reading.

February 13, 1991

HB 1113 Prime Sponsor, Representative Haugen: Providing legal representation in child dependency cases. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1113 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate,

Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Referred to Committee on Appropriations.

February 14, 1991

HB 1136 Prime Sponsor, Representative Haugen: Revising provisions regulating cosmetology. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1136 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Franklin; Jones; O'Brien; Prentice; and Vance.

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

Voting nay: Representative Lisk, Assistant Ranking Minority Member.

Excused: Representatives R. King, O'Brien and Wilson.

Referred to Committee on Revenue.

February 14, 1991

HB 1139 Prime Sponsor, Representative Peery: Authorizing continuing education credit for teachers for certain out-of-state courses. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 5, after "follows:" strike all material down to and including "social workers." on line 11 and insert "Credit earned by educational staff associates for taking courses may be used to fulfill any applicable continuing education certification credit requirements if: 1) the course may be used for continuing education credit needed to maintain a professional license; or 2) the course is sponsored by a state or national association, the association is awarding professional continuing education credit to course participants, and the educational staff associate is employed as a psychologist, communication disorder specialist, nurse, occupational therapist, physical therapist, counselor, or social worker."

Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betzoff; Broback; Brumsickle; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Excused: Representative Cole.

Passed to Committee on Rules for second reading.

February 14, 1991

HB 1145 Prime Sponsor, Representative Jacobsen: Revising provisions for the American Indian endowed scholarship program. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute House Bill No. 1145 be substituted therefor, and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Dellwo; Fraser; Ludwig; Prince; Sheldon; Spanel; and Van Luven.

Excused: Representatives Basich and Miller.

Passed to Committee on Rules for second reading.

February 14, 1991

HB 1172 Prime Sponsor, Representative Holland: Creating the school pathway and bus stop improvement program. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1172 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betzoff; Broback; Brumsickle; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Excused: Representatives Cole and Phillips.

Referred to Committee on Transportation.

February 14, 1991

HB 1174 Prime Sponsor, Representative Holland: Allowing school bus drivers to report drivers who fail to stop. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1174 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betzoff; Broback; Brumsickle; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Excused: Representative Cole.

Passed to Committee on Rules for second reading.

February 14, 1991

HB 1200 Prime Sponsor, Representative Morris: Continuing direct access to physical therapists. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1200 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

Excused: Representative Cantwell.

Passed to Committee on Rules for second reading.

February 14, 1991

HB 1224 Prime Sponsor, Representative H. Sommers: Changing provisions relating to school district indebtedness. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betrozoff; Broback; Brumsickle; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Excused: Representative Cole.

Passed to Committee on Rules for second reading.

February 14, 1991

HB 1258 Prime Sponsor, Representative Day: Changing provisions relating to nursing home administration. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1258 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

Excused: Representative Cantwell.

Passed to Committee on Rules for second reading.

February 14, 1991

HB 1287 Prime Sponsor, Representative Heavey: Revising provisions for adoption. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1287 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Passed to Committee on Rules for second reading.

February 14, 1991

HB 1322 Prime Sponsor, Representative R. King: Authorizing the development of aquatic animal diagnostic, certification, and extension services and curricula. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass with the following amendments:  
 On page 2, line 14, after "Washington," insert "the department of fisheries,"  
 On page 2, line 21, after "Puyallup." insert "The certification service will certify aquatic animal products using federal standards and standards that are recognized by the state departments of fisheries and agriculture pursuant to RCW 75.58.010."

Signed by Representatives R. King, Chair; Morris, Vice Chair; Wilson, Ranking Minority Member; Fuhrman, Assistant Ranking Minority Member; Basich; Cole; Haugen; Hochstatter; Orr; Padden; and Spanel.

Referred to Committee on Appropriations.

February 14, 1991

HB 1377 Prime Sponsor, Representative Peery: Revising provisions for the screening program for scoliosis. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

Excused: Representative Cantwell.

Passed to Committee on Rules for second reading.

February 14, 1991

HB 1409 Prime Sponsor, Representative Jacobsen: Eliminating mandatory retirement for employees of public institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May,

Assistant Ranking Minority Member; Dellwo; Fraser; Ludwig; Prince; Sheldon; Spanel; and Van Loven.

Excused: Representatives Basich and Miller.

Passed to Committee on Rules for second reading.

February 14, 1991

HB 1411 Prime Sponsor, Representative Hochstatter: Revising provisions relating to the privilege tax imposed on public utility districts. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Grant, Chair; H. Myers, Vice Chair; May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Casada; Cooper; R. Fisher; and Jacobsen.

MINORITY recommendation: Do not pass. Signed by Representatives Bray and Rayburn.

Excused: Representatives R. Fisher, Jacobsen and Miller.

Passed to Committee on Rules for second reading.

February 14, 1991

HB 1437 Prime Sponsor, Representative Basich: Enhancing game fish resources. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; Wilson, Ranking Minority Member; Fuhrman, Assistant Ranking Minority Member; Basich; Cole; Haugen; Hochstatter; Orr; Padden; and Spanel.

Referred to Committee on Revenue.

February 14, 1991

HB 1471 Prime Sponsor, Representative Heavey: Creating the "foundation for families act of 1991." Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1471 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Vance; and Wilson.

Referred to Committee on Appropriations.

February 14, 1991

HB 1472 Prime Sponsor, Representative Cole: Relating to employment.  
Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1472 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Vance; and Wilson.

Excused: Representative O'Brien.

Passed to Committee on Rules for second reading.

February 14, 1991

HB 1473 Prime Sponsor, Representative Prentice: Periodic adjustments of the state minimum wage. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1473 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Vance; and Wilson.

Passed to Committee on Rules for second reading.

February 14, 1991

HB 1474 Prime Sponsor, Representative Ebersole: Expanding provisions for leave from employment for family care. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:  
On page 7, line 23, after "position" insert "held"

Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Vance; and Wilson.

Excused: Representative O'Brien.

Passed to Committee on Rules for second reading.

February 14, 1991

HB 1475 Prime Sponsor, Representative G. Fisher: Revising provisions on conditions of employment. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1475 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Vance; and Wilson.

Passed to Committee on Rules for second reading.

February 14, 1991

HB 1482 Prime Sponsor, Representative Prentice: Modifying funding requirements of the AIDS service networks. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

Excused: Representatives Cantwell and Sprenkle.

Referred to Committee on Appropriations.

February 14, 1991

HB 1520 Prime Sponsor, Representative Leonard: Correcting the name of a residential habilitation center. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Passed to Committee on Rules for second reading.

February 14, 1991

HB 1527 Prime Sponsor, Representative Braddock: Allowing mandatory continuing medical education credit in the area of professional liability risk management. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

Excused: Representative Cantwell.

Passed to Committee on Rules for second reading.

February 14, 1991

HB 1609 Prime Sponsor, Representative Leonard: Developing additional mental health services for children. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1609 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Excused: Representative H. Myers.

Referred to Committee on Appropriations.

February 14, 1991

HB 1739 Prime Sponsor, Representative Leonard: Providing a property tax exemption for certain nonprofit organizations. Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Bill No. 1739 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Ballard; Leonard; Ogden; and Wineberry.

Referred to Committee on Revenue.

February 14, 1991

HB 1740 Prime Sponsor, Representative Ogden: Changing provisions relating to housing authorities. Reported by Committee on Housing

MAJORITY recommendation: Do pass with the following amendments:

On page 8, line 7, after "affordable to" strike "those"

On page 11, line 4, after "elderly" insert "1"

Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Ballard; Leonard; Ogden; and Wineberry.

Passed to Committee on Rules for second reading.

February 14, 1991

HB 1789 Prime Sponsor, Representative Braddock: Concerning the filling of prescriptions written by out-of-state prescribers. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1789 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

Excused: Representative Cantwell.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Ebersole, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

Representatives H. Sommers and Wang appeared at the bar of the House.

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

#### SECOND READING

#### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1267 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1267, by Representatives Holland, Scott, Beck, Valle, Winsley and Wynne; by request of Department of Natural Resources

Authorizing the board of natural resources to reconvey lands leased to counties used for sanitary landfills.

The bill was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Holland spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1267, and the bill passed the House by the following vote: Yeas - 91, Nays - 3, Absent - 1, Excused - 3.

Voting yea: Representatives Anderson, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Johnson P., Morton, Sheldon - 03.

Absent: Representative Brekke - 01.

Excused: Representatives Appelwick, Locke, Silver - 03.

House Bill No. 1267, having received the constitutional majority, was declared passed.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. R. Meyers presiding) called the House to order.

Representatives Appelwick, Brekke, Locke and Silver appeared at the bar of the House.

HOUSE BILL NO. 1222, by Representatives Betrozoff, Peery, Brumsickle, G. Fisher, Brough, Holland, Paris, Broback, Nealey and Orr

Placing the responsibility for the formation of school directors' districts with the districts' boards of directors.

The bill was read the second time. On motion of Mr. Peery, Substitute House Bill No. 1222 was substituted for House Bill No. 1222, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1222 was read the second time.

The Clerk read the following amendments by Ms. Brough:

On page 7, after line 26, strike all material through "districts."

On page 8, line 1, and insert the following:

(1) Notwithstanding any other provision of law, and until such time as the voters of any school district of the first class having within its boundaries a city with a population of four hundred thousand people or more in class AA counties determine that a different number or no school directors shall be elected by director district, the school district shall be divided into seven director districts. If the voters of the school district decide to change the number of directors elected by director district, the boundaries of the director districts shall be revised or eliminated accordingly.

On page 8, line 12, after "29.70.100.", insert the following:

"(2) If some directors are to be elected by director district, the provisions of this subsection shall apply to the candidates for the director district positions."

On page 8, beginning on line 28, after "district." strike all material through "RCW 28A.315.460." on page 9, line 2, and insert:

"(Except as provided in RCW 28A.315.680, every such director so elected in school districts divided into seven director districts shall serve for a term of four years as otherwise provided in RCW 28A.315.460.)"

(3) If some directors are to be elected at large, the provisions of this subsection shall apply to the candidates for the at-large positions. No person is eligible for the position of school director under this subsection unless the person resides in the school district. Residents in the school district desiring to be candidates for the position of school director shall file their declarations of candidacy for the position of director at large in that district in accordance with RCW 28A.315.470 and shall be a candidate in the primary voted upon by all of the registered voters of the school district. If not more candidates than positions available file a declaration of candidacy for the position of school director in the school district, no primary election shall be held in that district and the candidates' names alone shall appear on the ballot for the director positions at the general election. The name of the person who receives the greatest number of votes and the name of the person who receives the next greatest number of votes at the primary for each at-large position shall appear on the general election ballot. In the general election, the candidates shall be voted upon by all of the registered voters in the school district."

On page 9, after line 4, strike all material through "districts."

On line 8, and insert:

"(1) Notwithstanding any other provision of law, and until such time as the voters of any school district of the first class having within its boundaries a city with a population of four hundred thousand people or more in class AA counties determine that a different number or no school directors shall be elected by director district, the school district shall be divided into seven director districts. If the voters of the school district decide to change the number of directors elected by director district, the boundaries of the director districts shall be revised or eliminated accordingly."

On page 9, line 19, after "29.70.100.", insert the following:

"(2) If some directors are to be elected by director district, the provisions of this subsection shall apply to the candidates for the director district positions."

On page 10, line 1, after "RCW." strike all material through "RCW 28A.315.460." on line 4, and insert "(Except as provided in RCW 28A.315.680, every such director so elected in school districts divided into seven director districts shall serve for a term of four years as otherwise provided in RCW 28A.315.460.)"

(3) If some directors are to be elected at large, the following provisions shall apply to the candidates for the at-large positions. No person is eligible for the position of school director under this subsection unless the person resides in the school district. Residents in the school district desiring to be candidates for the position of school director shall file their declarations of candidacy for the position of director at large in that district in accordance with RCW 28A.315.470 and shall be a candidate in any primary required to be held for the position under Title 29 RCW, and voted upon by the registered voters

of the school district. The order of the names of candidates shall appear on the primary and general election ballots as required for nonpartisan positions under Title 29 RCW. In the general election, the candidates shall be voted upon by all of the registered voters in the school district."

On page 10, after line 4, strike all material through page 11, line 14, and insert the following:

"NEW SECTION. Sec. 7. A new section is added to chapter 28A.315 RCW to read as follows:

The provisions of this section provide an alternative method of establishing or changing the number of school directors and the method of electing directors. The voters of a school district of the first class having within its boundaries a city with a population of four hundred thousand people or more in a class AA county, may determine how many directors shall serve on their school district board of directors, whether the election of school directors shall occur by director district or at large or a combination of both, and if director districts are approved, the number of director districts to be established. Establishing or changing the number of school directors or the method of their election shall be determined at a regular school election and shall be placed on the ballot when either (1) the school board adopts a motion to place it on the ballot; or (2) the school district board of directors receives a petition signed by registered voters of the school district who constitute at least four percent of the votes cast for the office of the governor within the school district at the last regular gubernatorial election prior to the submission of the petition to the board.

If a change in the number of directors or the method of election is approved, the change shall become effective for the next regular school election after the voters' approval of the change. The initial terms of the new directors elected under the new method of election shall be set for different time periods so the terms of the directors will be staggered. Thereafter the terms shall be as provided in RCW 28A.315.460.

NEW SECTION. Sec. 9. A new section is added to chapter 28A.315 RCW to read as follows:

Whenever an election is held for the purpose of securing the approval of the voters for the formation of a new school district of the first class having within its boundaries a city with a population of four hundred thousand people or more in a class AA county, the voters shall determine at that same election how many school directors shall serve on the school district's board of directors, whether the election of school directors shall occur by director district or at large or a combination of both, and if director districts are approved, the number of director districts to be established.

If a change in the number of school directors or the method of election is approved, the change shall become effective for the next regular school election after the voters' approval of the change. The initial terms of the new directors elected shall be set for different time periods so the terms of the directors will be staggered. Thereafter the terms shall be as provided in RCW 28A.315.460.

Upon the establishment of the new school district and until the effective date of the new method of election, the new school district shall be governed and the school district board of directors constituted in accordance with RCW 28A.315.630.

Sec. 9. RCW 28A.315.450 and 1980 c 35 s 1 are each amended to read as follows:

The governing board of a school district shall be known as the board of directors of the district.

Unless otherwise specifically provided, as in RCW 29.13.060, each member of a board of directors shall be elected by ballot by the registered voters of the school district and shall hold office for a term of four years and until a successor is elected and qualified. Terms of school directors shall be staggered, and insofar as possible, not more than a majority of one shall be elected to full terms at any regular election. In case a

member or members of a board of directors are to be elected to fill an unexpired term or terms, the ballot shall specify the term for which each such member is to be elected.

Except for a school district of the first class having within its boundaries a city with a population of four hundred thousand people or more in class AA counties (~~which shall have a board of directors of seven members~~), the board of directors of every school district of the first class or school district of the second class shall consist of five members.

Sec. 10. RCW 28A.315.630 and 1990 c 33 s 323 are each amended to read as follows:

Upon the establishment of a new school district of the first class having within its boundaries a city with a population of four hundred thousand people or more in class AA counties, the directors of the largest former first class district and three directors representative of the other former first class districts selected by a majority of the board members of the former first class districts and two directors representative of former second class districts selected by a majority of the board members of former second class districts shall meet at the call of the educational service district superintendent and shall constitute the board of directors of the new district. Each board of directors so constituted shall proceed at once to organize in the manner prescribed by law and thereafter shall have all the powers and duties conferred by law upon boards of first class districts, until the next regular school election and until their successors are elected and qualified. If some or all of the directors are to be elected by director district, such duties shall include establishment of new director districts as provided for in RCW 28A.315.670. ~~((At the next regular school election seven directors shall be elected by director districts, two for a term of two years, two for a term of four years and three for a term of six years. Thereafter their terms shall be as provided in RCW 28A.315.460.))~~

Vacancies once such a board has been reconstituted shall not be filled unless the number of remaining board members is less than seven, and such vacancies shall be filled in the manner otherwise provided by law."

Renumber the sections consecutively and correct any internal references accordingly.

On page 11, line 15, after "NEW SECTION. Sec. 9." strike all material through line 16, and insert: "The following acts or parts of acts are each repealed:

(1) RCW 28A.315.680 and 1990 c 59 s 72, 1990 c 33 s 328, 1983 c 3 s 36, 1989 ex.s. c 183 s 7, 1973 2nd ex.s. c 21 s 6; & 1969 c 131 s 10; and

(2) RCW 28A.315.685 and 1990 c 161 s 1.

On page 11, line 17, after "NEW SECTION. Sec. 10." strike the remainder of the line and insert "Section 5 of this act shall"

On page 11, line 19, after "NEW SECTION. Sec. 11." strike the remainder of the line and insert "Section 6 of this act shall take"

On page 11, line 21, after "NEW SECTION. Sec. 12." strike the remainder of the line and insert "Sections 1 through 5 and 7 through 11 of this"

With consent of the House, Ms. Brough withdrew the amendments.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Betrozoff spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1222, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1222, having received the constitutional majority, was declared passed.

## MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 1264 and House Bill No. 1273 and that the bills hold their places on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1327, by Representatives Anderson, Silver, R. Fisher, McLean, Pruitt, Bowman, Moyer, Chandler, Paris, Hochstatter, Wynne, D. Sommers, Miller and Brekke

Revising sunset review responsibilities of the legislative budget committee.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 23rd Day, February 5, 1991.)

Mr. Anderson moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Anderson, McLean and D. Sommers spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1327, and the bill passed the House by the following vote: Yeas - 97, Nays - 1, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Heavey - 01.

Engrossed House Bill No. 1327, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1450, by Representatives Peery, H. Myers, Morris and Cooper

Providing a business and occupation tax credit for services provided by a public safety testing lab.

The bill was read the second time.

Mr. Peery moved adoption of the following amendment by Representatives Peery and Wang:

On page 2, beginning on line 12, after "act" strike everything through "1992." on line 13 and insert "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 shall take effect July 1, 1991."

Mr. Peery spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendment by Representatives Peery and Wang to the title was adopted:

On page 1, beginning on line 3 of the title, strike "and providing an effective date." and insert "providing an effective date; and declaring an emergency."

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Peery and Holland spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1450, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 1450, having received the constitutional majority, was declared passed.

HOUSE JOINT RESOLUTION NO. 4201, by Representatives Ferguson, Haugen, Horn, Roland, Wood, Zellinsky, D. Sommers, Winsley, Nealey, Nelson and Fraser

Amending the Constitution to provide an alternative method of framing a county charter.

The resolution was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Ferguson and Cooper spoke in favor of passage of the resolution.

## ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 4201, and the resolution passed the House by the following vote: Yeas - 96, Nays - 2, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate,

Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Hochstatter, Padden - 02.

House Joint Resolution No. 4201, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1016, by Representatives Kremen, May, Betrozoff, Zellinsky, Horn, Jacobsen, R. Fisher, Heavey, Wood, Wineberry, O'Brien, Peery, Rasmussen, D. Sommers, Dorn, Cantwell, R. Johnson, Spanel, Dellwo, Leonard, Cole, Hine, Basich, Grant, Scott, Braddock, Brekke, Winsley, Appelwick, Ludwig, Ebersole, Belcher, Fraser, Pruitt, Jones, Sheldon, Holland, Phillips, Orr, Neher, Paris, Wynne and H. Sommers

Changing eligibility requirements for concealed weapon permits.

The bill was read the second time. On motion of Mr. Appelwick, Substitute House Bill No. 1016 was substituted for House Bill No. 1016, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1016 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1016, and the bill passed the House by the following vote: Yeas - 92, Nays - 6, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Brough, Fuhrman, Hochstatter, Lisk, Morton, Padden - 06.

Substitute House Bill No. 1016, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1037, by Representatives Appelwick, Prince, Wineberry, Belcher, Heavey, R. Meyers, Dorn, H. Myers, Phillips, Wang, Miller, Ludwig,

Prentice, Leonard, Locke, Riley, Fraser, R. King, Nelson, Pruitt, G. Fisher, Jacobsen, Anderson and Brekke; by request of Governor Gardner

Creating a procedure to monitor crimes of bigotry or bias.

The bill was read the second time. On motion of Mr. Appelwick, Substitute House Bill No. 1037 was substituted for House Bill No. 1037, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1037 was read the second time.

Mr. Hargrove moved adoption of the following amendments by Representatives Hargrove and Tate:

On page 1, line 11, strike "sexual orientation, or"

On page 1, line 12, after "handicap" insert "or, membership in any other discrete group which is commonly known to be the object of widespread prejudice, bias, or discrimination as delineated by the criminal justice training commission in the commission's training course."

On page 2, line 10, strike "sexual orientation, or"

On page 2, line 11, after "handicap" insert "or, membership in any other discrete group which is commonly known to be the object of widespread prejudice, bias, or discrimination"

On page 2, beginning on line 19, strike everything through "bisexuality" on page 2, line 20.

On page 3, line 19, strike "sexual orientation, or"

On page 3, line 20, after "handicap" insert "or membership in any other discrete group which is commonly known to be the object of widespread prejudice, bias, or discrimination"

Representatives Hargrove, Tate, Moyer and Padden spoke in favor of adoption of the amendments, and Representatives Wineberry, Appelwick, Locke and Riley spoke against them. Mr. Hargrove again spoke in favor of the amendments.

A division was called. The Speaker (Mr. R. Meyers presiding) called upon the House to divide. The result of the division was: Yeas - 32, Nays - 66. The amendments were not adopted.

Mr. Appelwick moved adoption of the following amendment:

On page 4, line 17, after "section 2" insert "(1) and (4)"

Mr. Appelwick spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Appelwick, Wineberry, Brough, Anderson, Wang, Heavey and Riley spoke in favor of passage of the bill, and Representatives Mielke, Hochstatter and Hargrove spoke against it.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1037, and the bill passed the House by the following vote: Yeas - 77, Nays - 21, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Basich, Beck, Belcher, Braddock, Bray, Brekke, Brough, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Grant, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Miller, Mitchell, Morris, Moyer, Myers, H., Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Wood, Wynne, Zellinsky, and Mr. Speaker - 77.

Voting nay: Representatives Ballard, Betrozoff, Bowman, Broback, Brumsickle, Casada, Chandler, Fuhrman, Hargrove, Hochstatter, Johnson P., Lisk, Mielke, Morton, Nealey, Neher, Padden, Silver, Sommers, D., Tate, Winsley - 21.

Engrossed Substitute House Bill No. 1037, having received the constitutional majority, was declared passed.

### MOTION

Mr. Ebersole moved that the House defer consideration of the remaining bills on the second reading calendar. The motion was carried.

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

### RESOLUTION

HOUSE RESOLUTION NO. 91-4627, by Representative Neher

WHEREAS, The health and future welfare of the citizens of this state are interdependent; and

WHEREAS, February 19, 1991, is designated as Legislative Fitness Day in recognition of the importance of physical fitness; and

WHEREAS, To heighten our awareness of the importance of physical fitness the Washington Alliance of Health, Physical Education, Recreation and Dance has volunteered to perform a variety of fitness screening and assessment services for members of the Legislature and legislative employees; and

WHEREAS, A day of physical fitness recognized as such by the Legislature will serve to promote the public's awareness of the importance of physical fitness and good health practices;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, that the nineteenth of February, 1991, be designated as "Legislative Fitness Day"; and

BE IT FURTHER RESOLVED, That all appropriate state agencies are encouraged to promote public awareness of the importance of physical fitness and good health practices.

Mr. Neher moved adoption of the resolution and spoke in favor of it.

House Resolution No. 91-4627 was adopted.

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

#### MOTION

On motion of Mr. Dorn, the House adjourned until 12:00 Noon, Tuesday, February 19, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**THIRTY-SEVENTH DAY**

-----  
 NOON SESSION  
 -----

House Chamber, Olympia, Tuesday, February 19, 1991

The House was called to order at 12:00 Noon by the Speaker (Mr. O'Brien presiding).

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

MESSAGE FROM THE SENATE .

February 18, 1991

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 5004,  
 SENATE BILL NO. 5050,  
 SENATE BILL NO. 5111,  
 SENATE BILL NO. 5243,

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

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

INTRODUCTIONS AND FIRST READING

HB 2002 by Representative Hargrove

AN ACT Relating to unprofessional conduct of dentists providing removable dental prosthesis services; and adding a new section to chapter 18.32 RCW.

Referred to Committee on Health Care.

HB 2003 by Representatives Hargrove, Basich, R. Fisher, Belcher, Bowman, Beck and Jones

AN ACT Relating to managing highway rights of way for pulp and timber production; adding new sections to Title 47 RCW; creating a new section; and making appropriations.

Referred to Committee on Transportation.

HB 2004 by Representatives Phillips, Rust, Cole, Leonard, Prentice, Valle, Brekke and H. Sommers

AN ACT Relating to election of school board directors in first class school districts having within their boundaries a city with a population of four hundred thousand people or more in class AA counties; amending RCW 28A.315.630, 28A.315.670, and 28A.315.680; reenacting and amending RCW 28A.315.110, 28A.315.670, and 28A.315.680; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Education.

HB 2005 by Representatives Jones, Wilson, R. Fisher and Schmidt

AN ACT Relating to freight brokers and forwarders; and amending RCW 81.80.430.

Referred to Committee on Transportation.

HB 2006 by Representatives Sheldon, Ferguson, Wood, Wineberry, Fomer, Kremen, Sprenkle, Roland, Rasmussen, Jacobsen, Wang, Vance, Ogden, Winsley and Basich

AN ACT Relating to work force training and education; adding a new section to chapter 50.63 RCW; creating new sections; and making appropriations.

Referred to Committees on Trade & Economic Development/Appropriations.

HB 2007 by Representatives Ludwig, Vance, Riley, Mielke, Inslee, Tate, Van Luven, Brough, Paris, Winsley, Fomer, Moyer, Wynne and P. Johnson

AN ACT Relating to unlawful harboring of a minor; and amending 13.32A.080.

Referred to Committee on Human Services

HB 2008 by Representatives Nelson, Leonard, Winsley, Tate, Brekke, Phillips, H. Sommers, D. Sommers, Holland, Mitchell and P. Johnson

AN ACT Relating to disabled persons; amending RCW 9.94A.270, 9A.36.080, 18.29.056, 18.59.020, 18.59.040, 19.27.170, 20.01.330, 26.33.350, 26.40.010, 26.40.020, 26.40.030, 26.44.020, 27.04.030, 27.04.045, 28A.26.040, 28A.150.220, 28A.150.260, 28A.150.280, 28A.150.370, 28A.150.390, 28A.155.020, 28A.155.010, 28A.155.030, 28A.155.040, 28A.155.050, 28A.155.060, 28A.155.070, 28A.155.080, 28A.155.090, 28A.160.040, 28A.160.160, 28A.160.180, 28A.190.030, 28A.310.190, 28A.320.080, 28A.330.100, 28A.400.030, 28A.505.190, 28A.525.030, 28A.525.162, 28A.545.040, 28A.545.100, 28A.630.050, 28A.630.190, 28A.630.400, 28B.04.120, 28B.07.010, 28B.20.410, 28B.20.414, 29.19.010, 29.51.200, 29.57.010, 29.57.090,

29.57.120, 29.57.140, 29.57.160, 35.58.240, 35.68.075, 35.68.076, 35.86A.010, 35.86A.070, 35.92.060, 36.57.040, 36.57A.090, 39.23.005, 39.32.010, 41.26.030, 43.19.520, 43.20A.635, 43.20A.725, 43.24.090, 43.31.512, 43.70.080, 43.99C.010, 43.99C.015, 43.99C.020, 43.99C.040, 43.99C.047, 43.99C.050, 43.180.070, 43.220.070, 46.74.010, 47.01.071, 47.04.170, 48.01.035, 48.20.420, 48.21.150, 48.30.300, 48.30.320, 48.41.140, 48.44.200, 48.44.210, 48.44.220, 48.44.260, 48.46.320, 48.46.370, 48.46.380, 49.12.110, 49.60.010, 49.60.020, 49.60.030, 49.60.120, 49.60.130, 49.60.174, 49.60.175, 49.60.176, 49.60.178, 49.60.180, 49.60.190, 49.60.200, 49.60.222, 49.60.223, 49.60.224, 49.60.225, 49.74.005, 50.12.210, 51.08.030, 56.08.014, 57.08.014, 66.24.425, 70.58.300, 70.58.310, 70.82.010, 70.82.030, 70.84.010, 70.84.080, 70.106.110, 71A.10.020, 71A.10.040, 71A.12.010, 71A.12.020, 72.04A.120, 72.05.010, 72.05.130, 72.29.010, 72.40.040, 72.70.010, 74.09.524, 74.12.290, 74.13.031, 74.13.095, 74.13.109, 74.13.150, 74.13.270, 74.13.310, 74.18.010, 74.18.060, 74.18.130, 74.26.010, 74.29.005, 74.29.010, 74.29.020, 74.29.080, 74.29.100, 74.38.070, 75.25.110, 75.25.180, 75.25.200, 77.12.010, 77.32.230, 77.32.235, 79.90.460, 81.66.010, 81.68.015, 82.04.355, 82.16.047, 82.36.285, 82.38.080, 82.44.015, 82.44.041, 82.80.030, 84.36.350, 84.36.353, and 84.52.0531; and reenacting and amending RCW 19.27.031, 49.60.040, 49.60.215, 74.09.520, and 82.04.385.

Referred to Committee on Human Services.

**HB 2009** by Representatives Bray, Winsley, Leonard, Hochstatter, Ludwig, Prentice, Brekke, Jacobsen and Mitchell

AN ACT Relating to state supplementation of the supplemental security income program; amending RCW 74.04.620; creating a new section; providing an effective date; and making an appropriation.

Referred to Committees on Human Services/Appropriations.

**HB 2010** by Representatives Moyer, Hochstatter, Day, Morris, Betrozoff, Wineberry, Orr, Leonard, Forner, Casada, Vance, Nealey, D. Sommers, Winsley, Rasmussen, Chandler, Mitchell and P. Johnson

AN ACT Relating to an annual award for teaching ethics in kindergarten through grade twelve education; adding new sections to chapter 28A.625 RCW; and creating a new section.

Referred to Committee on Education.

**HB 2011** by Representatives Wineberry, Moyer, Braddock, Heavey, Edmondson, Ebersole, Day, Paris, Sprengle, Peery, Locke, Cantwell, Inslee, Valle, Cole, Morris, Prentice, Franklin, Rust, Belcher, Anderson, Appelwick, Hargrove, Scott, Spanel, Leonard, Dorn, Phillips, Brekke, R. Fisher, Rasmussen, Jacobsen, Pruitt, Basich, Riley and Ludwig

AN ACT Relating to the restriction of advertisements of tobacco and alcoholic products; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 2012 by Representatives Sheldon and P. Johnson

AN ACT Relating to leasehold excise taxes; and amending RCW 82.29A.020, 82.29A.130, and 82.29A.060.

Referred to Committee on Revenue.

HB 2013 by Representatives Scott, Appelwick, May, Leonard, Ballard, Ferguson, Ludwig, Moyer, Morris, Jacobsen, Wang, Van Luven, Tate, Nealey, Brough, Rasmussen, Chandler and Holland

AN ACT Relating to sobriety checkpoints; and adding a new chapter to Title 46 RCW.

Referred to Committee on Judiciary.

HB 2014 by Representative O'Brien

AN ACT Relating to blood donors; and adding new sections to chapter 70.54 RCW.

Referred to Committee on Health Care.

HB 2015 by Representative Appelwick

AN ACT Relating to refinements of the community protection act of 1990; amending RCW 9.94A.151, 9.94A.155, 13.40.030, 13.40.215, 71.09.030, 71.09.050, and 9.94A.120; reenacting RCW 43.43.830; adding a new section to chapter 9.95 RCW; creating new sections; prescribing penalties; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2016 by Representatives Cole, Ballard, Scott, Leonard, Mielke, May, Moyer, Morris, Sprenkle, Paris, Winsley, Mitchell, P. Johnson and Miller

AN ACT Relating to poison information centers; amending RCW 18.76.010, 18.76.030, and 18.76.060; adding a new section to chapter 18.76 RCW; and repealing RCW 18.76.040.

Referred to Committee on Health Care.

HB 2017 by Representatives Cole, Mielke, Sprenkle, Moyer, Morris, Scott and Paris

AN ACT Relating to the board of pharmacy; and adding new sections to chapter 18.64 RCW.

Referred to Committee on Health Care.

HB 2018 by Representatives Mitchell, Ferguson, G. Fisher, Cooper and Nealey

AN ACT Relating to port districts; and adding a new chapter to Title 53 RCW.

Referred to Committee on Local Government.

HB 2019 by Representatives Ballard and D. Sommers

AN ACT Relating to the definition of newspaper for purposes of sales tax exemption; and amending RCW 82.08.0253.

Referred to Committee on Revenue.

HB 2020 by Representatives Nelson, Wood, Wang, Franklin, Jacobsen, Cole, Winsley, Miller and Anderson

AN ACT Relating to the Asian American endowed scholarship program; and adding a new chapter to Title 28B RCW.

Referred to Committees on Higher Education/Appropriations.

HB 2021 by Representatives Fraser, Miller, Valle, McLean, Edmondson, Jacobsen, Nealey, Paris, Chandler and Wynne; by request of Joint Select Committee on Water Resource Policy

AN ACT Relating to the joint select committee on water resource policy; and amending RCW 90.54.024.

Referred to Committee on Natural Resources & Parks.

HB 2022 by Representatives Sheldon, Ballard and Bowman

AN ACT Relating to recording of surveys; and amending RCW 58.09.090.

Referred to Committee on Local Government.

HB 2023 by Representative R. Fisher

AN ACT Relating to department of licensing agents and subagents; amending RCW 46.01.130; adding a new section to chapter 46.01 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 2024 by Representatives R. Fisher and Cooper

AN ACT Relating to motor vehicle title and registration services performed by counties; and adding a new section to chapter 46.01 RCW.

Referred to Committee on Transportation.

HB 2025 by Representatives Brumsickle, Bowman, Rasmussen, Basich, Paris and Winsley

AN ACT Relating to employee payroll deductions; and amending RCW 41.04.230.

Referred to Committee on State Government.

HB 2026 by Representatives Fraser, Miller, Valle, Rayburn, McLean, Belcher, Jacobsen, Nealey, Paris, Winsley and Chandler; by request of Joint Select Committee on Water Resource Policy

AN ACT Relating to water resource management; amending RCW 90.03.380, 19.27.170, 35.67.020, 56.16.090, and 57.20.020; reenacting and amending RCW 35.92.010; adding a new section to chapter 90.54 RCW; adding a new section to chapter 90.14 RCW; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; adding a new section to chapter 82.04 RCW; adding a new section to chapter 43.19 RCW; adding a new section to chapter 90.03 RCW; adding a new section to chapter 18.104 RCW; adding a new chapter to Title 90 RCW; creating new sections; prescribing penalties; and making appropriations.

Referred to Committee on Natural Resources & Parks.

HB 2027 by Representatives Ballard, Jacobsen, Bowman, Vance, Tate, Brough, Paris, Ferguson, Casada, Chandler, Forner, Moyer, Fuhrman, Holland, Wynne, May, Mitchell, P. Johnson, Betrozoff and Miller

AN ACT Relating to higher education; amending RCW 28B.10.808, 28B.15.600, 28B.102.060, 28B.104.060, 18.150.060, and 70.180.100; adding new sections to chapter 28B.10 RCW; adding a new section to chapter 28B.15 RCW; adding a new section to chapter 28C.10 RCW; adding a new section to chapter 28B.85 RCW; providing an expiration date; and declaring an emergency.

Referred to Committees on Higher Education/Appropriations.

HB 2028 by Representatives Appelwick and Paris

AN ACT Relating to controlled substances; amending RCW 69.50.201, 69.50.203, 69.50.204, 69.50.205, 69.50.206, 69.50.207, 69.50.208, 69.50.209, 69.50.210, 69.50.211, 69.50.212, 69.50.213, 69.50.301, 69.50.302, 69.50.303, 69.50.304, 69.50.306, 69.50.307, 69.50.308, 69.50.403, 9.94A.030, 9.94A.310, and 9.94A.320; reenacting and amending RCW 69.50.101 and 69.50.435; adding new sections to chapter 69.50 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Judiciary.

**HB 2029** by Representative Peery

AN ACT Relating to water pollution control of chlorinated organic compound emissions; adding a new section to chapter 90.48 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Environmental Affairs.

**HB 2030** by Representatives Spanel, May, Ogden, Fraser, Locke and Paris

AN ACT Relating to higher education tuition and fee waivers, reduced fees, and residency exemptions; amending RCW 28B.15.502; adding new sections to chapter 28B.15 RCW; and repealing RCW 28B.15.522, 28B.15.535, 28B.15.540, 28B.15.558, 28B.15.543, 28B.15.545, 28B.15.546, 28B.15.547, 28B.80.245, 28B.80.246, 28B.15.225, 28B.15.524, 28B.15.526, 28B.15.527, 28B.15.555, 28B.15.556, 28B.15.725, 28B.15.730, 28B.15.732, 28B.15.734, 28B.15.736, 28B.15.750, 28B.15.752, 28B.15.754, 28B.15.756, 28B.15.758, 28B.70.050, 28B.15.014, 28B.15.380, 28B.15.520, 28B.15.620, 28B.35.361, 28B.40.361, 28B.15.100, 28B.15.450, 28B.15.455, 28B.15.460, 28B.15.465, 28B.15.470, 28B.15.475, 28B.15.480, 28B.15.615, and 28B.15.740.

Referred to Committees on Higher Education/Appropriations.

**HB 2031** by Representatives Grant, Neher, Bray and Ludwig; by request of Utilities & Transportation Commission

AN ACT Relating to low-level waste sites; amending RCW 81.04.010, 82.16.010, and 82.04.260; adding a new chapter to Title 81 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Energy & Utilities.

**HB 2032** by Representative R. Fisher

AN ACT Relating to the Washington traffic safety commission; and creating a new section.

Referred to Committee on Transportation.

**HB 2033** by Representatives Moyer, Sprenkle, D. Sommers and Paris

AN ACT Relating to a nonvoting physician assistant member of the medical disciplinary board; and amending RCW 18.72.040 and 18.72.050.

Referred to Committee on Health Care.

**HB 2034** by Representatives Wynne, Rasmussen, May, Phillips, Van Luven, Riley, Brough, Franklin, Heavey, Wang, Rayburn, Wood,

Edmondson, Holland, Hine, Tate, Scott, Forner, Appelwick, Morris, Ballard, Kremen, Padden, Miller, Paris, Broback, Mielke, Brumsickle, D. Sommers, P. Johnson, Casada, Ludwig, Vance, Ferguson, Winsley, Mitchell and Betrozoff

AN ACT Relating to counseling benefits for families of homicide victims; and amending RCW 7.68.070.

Referred to Committees on Judiciary/Appropriations.

HB 2035 by Representatives Wynne, Jacobsen, Prince, Hargrove, Miller, Sheldon, Ballard, Zellinsky, Van Luven, Scott, Ferguson, Ludwig, Paris, Basich, Lisk, Rasmussen, Schmidt, Chandler, Vance, Tate, D. Sommers, Rayburn, Winsley, Moyer, Fuhrman, Holland, May, P. Johnson and Betrozoff

AN ACT Relating to waivers of tuition and fees increases at public institutions of higher education; amending RCW 28B.15.380; and adding a new section to chapter 28B.15 RCW.

Referred to Committees on Higher Education/Appropriations.

HB 2036 by Representatives Anderson, Moyer, Vance, Tate, Brough, Paris, Winsley, Rasmussen, Wynne, Mitchell, P. Johnson and Miller; by request of Office of Financial Management and Dept. of Social and Health Services

AN ACT Relating to hospice services provided by medical assistance; reenacting and amending RCW 74.09.520; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2037 by Representatives Morris, Moyer and Sprenkle; by request of Department of Health

AN ACT Relating to the regulation of persons who apply ionizing radiation to human beings; amending RCW 18.84.010, 18.84.020, 18.84.030, and 18.84.040; adding new sections to chapter 18.84 RCW; repealing RCW 43.131.349, 43.131.350, and 18.84.900; providing an effective date; and declaring an emergency.

Referred to Committee on Health Care.

HJM 4016 by Representatives Ludwig, May, Bray, Moyer, Rayburn, Grant, Lisk, Neher, Edmondson, Orr, Jacobsen, Nealey, Paris, Chandler, Betrozoff and Miller

Requesting that Hanford be acknowledged as a national research and development center.

Referred to Committee on Energy & Utilities.

SB 5004 by Senators L. Kreidler and Nelson

Permitting certified public records from other states to be admissible evidence.

Referred to Committee on Judiciary.

SB 5050 by Senators McCaslin and Madsen; by request of Washington State Patrol

Providing protection to the lieutenant governor.

Referred to Committee on State Government.

SB 5111 by Senators Madsen, Wojahn, Rasmussen, Amondson, A. Smith, Snyder, Gaspard and Skratek

Directing money received by inmates, for testifying, into the victims compensation account.

Referred to Committee on Human Services.

SB 5243 by Senators Rinehart, McCaslin, Madsen, Thorsness, Rasmussen, Oke and Conner

Adding submarine veterans of World War II to the list of organizations represented on the veterans advisory affairs committee.

Referred to Committee on State Government.

#### MOTION

On motion of Mr. Dorn, the bills and memorial listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

## REPORTS OF STANDING COMMITTEES

February 15, 1991

HB 1009 Prime Sponsor, Representative Haugen: Authorizing community councils for unincorporated areas. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; and Wynne.

Excused: Representatives Horn and Zellinsky.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1038 Prime Sponsor, Representative Kremen: Extending the commission for efficiency and accountability an additional four years. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; Grant; Moyer; O'Brien; and Sheldon.

Excused: Representative R. Fisher.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1045 Prime Sponsor, Representative Fraser: Increasing labor representation in state employees' benefits board. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 1045 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; Bowman, Assistant Ranking Minority Member; Chandler; Grant; Moyer; O'Brien; and Sheldon.

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

Excused: Representative R. Fisher.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1047 Prime Sponsor, Representative Anderson: Granting paid leave for employees who are in training or on call as volunteer members of the emergency services. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 1047 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; Bowman, Assistant Ranking Minority Member; Chandler; Grant; Moyer; O'Brien; and Sheldon.

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

Excused: Representative R. Fisher.

Referred to Committee on Appropriations.

February 15, 1991

HB 1102 Prime Sponsor, Representative Kremen: Requiring certification of electric spa equipment. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1104 Prime Sponsor, Representative Jones: Providing merchant marines with veteran status. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; Grant; Moyer; O'Brien; and Sheldon.

Excused: Representative R. Fisher.

Passed to Committee on Rules for second reading.

February 14, 1991

HB 1126 Prime Sponsor, Representative Braddock: Revising provisions for nursing facilities. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

Excused: Representatives Day, Vice Chair; and Cantwell.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1144 Prime Sponsor, Representative Jacobsen: Revising provisions for application of the state building code. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 5, line 1, beginning after "(7) (a)" strike "Effective one year after July 23, ((1989)) 1991, the" and insert "((Effective one year after July 23, 1989, the)) The"

On page 5, line 12, after "(b)" strike "Prior to July 23, ((1989)) 1991, the" and insert "((Prior to July 23, 1989, the)) The"

Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; Grant; Moyer; O'Brien; and Sheldon.

Excused: Representative R. Fisher.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1148 Prime Sponsor, Representative Ogden: Creating the "serve Washington" pilot program. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; Grant; Moyer; O'Brien; and Sheldon.

Excused: Representative R. Fisher.

Referred to Committee on Appropriations.

February 15, 1991

HB 1189 Prime Sponsor, Representative Ludwig: Allowing courts to award costs for probation or deferred prosecution. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1189 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; Tate; Vance; and Wineberry.

Excused: Representative D. Sommers.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1205 Prime Sponsor, Representative Belcher: Clarifying forest fire fighting duties. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute House Bill No. 1205 be substituted therefor, and the substitute bill do pass. Signed by Representatives Belcher, Chair; Scott, Vice Chair; Beck, Ranking Minority Member; Brumsickle, Assistant Ranking Minority Member; Dellwo; Fraser; Hargrove; Morton; Riley; and Wynne.

Excused: Representative Sheldon.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1244 Prime Sponsor, Representative Heavey: Requiring a study by the legislative budget committee of employer avoidance of industrial insurance premiums and unemployment compensation contributions. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 5, after "The" strike "legislative budget committee" and insert "employment security department and the department of labor and industries"

On page 1, line 10, after "The" strike "committee" and insert "departments"

Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1245 Prime Sponsor, Representative Heavey: Requiring compliance with chapter 39.12 RCW of public works. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1245 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Vance; and Wilson.

Voting nay: Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; and Vance.

Excused: Representative Wilson.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1246 Prime Sponsor, Representative R. King: Enforcing the payment of prevailing wages. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:  
On page 1, line 13, after "of" strike "failure" and insert "knowingly failing"  
On page 2, line 4, after "((willfully))" insert "knowingly"

Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; and Lisk, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1277 Prime Sponsor, Representative Grant: Continuing the geothermal account ten additional years. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass with the following amendments:  
On page 1, line 6, strike "2001" and insert "1997"  
On page 2, line 12, strike "2001" and insert "1997"

Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schmidt, Ranking Minority Member; Neher, Assistant Ranking Minority Member; Beck; Casada; Fraser; Jacobsen; Ogden; and Wang.

Excused: Representatives Braddock, Brough, Heavey, Peery and Silver.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1279 Prime Sponsor, Representative Heavey: Revising provisions unemployment compensation during labor disputes. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Vance; and Wilson.

Passed to Committee on Rules for second reading.

February 14, 1991

HB 1294 Prime Sponsor, Representative R. Meyers: Mandating personal injury protection insurance. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute House Bill No. 1294 be substituted therefor, and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Broback, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Anderson; Inslee; R. Johnson; R. Meyers; Schmidt; Scott; and Winsley.

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

Excused: Representative Dorn.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1333 Prime Sponsor, Representative Hargrove: Reassuming industrial insurance cases by the department of labor and industries. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

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

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1338 Prime Sponsor, Representative Heavey: Revising provisions for unemployment compensation deductions for pensions. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Referred to Committee on Appropriations.

February 15, 1991

HB 1339 Prime Sponsor, Representative Heavey: Revising provisions for unemployment compensation. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1340 Prime Sponsor, Representative R. Meyers: Revising provisions for deductions from unemployment compensation weekly benefits. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Referred to Committee on Appropriations.

February 15, 1991

HB 1348 Prime Sponsor, Representative Prentice: Providing for arbitration in public transportation labor negotiations. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 14, after "within" strike "thirty" and insert "sixty"

On page 3, line 15, after "within" strike "thirty" and insert "sixty"

On page 4, line 13, after "within" strike "thirty" and insert "sixty"

On page 4, line 25, after "within" strike "thirty" and insert "sixty"

Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; and Lisk, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1366 Prime Sponsor, Representative Zellinsky: Exempting terrorism from an insurer's limitations of liability. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Broback, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Anderson; Dorn; Inslee; R. Johnson; R. Meyers; Paris; Schmidt; Scott; and Winsley.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1367 Prime Sponsor, Representative Mielke: Creating a crime stoppers assistance office. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1367 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; Tate; Vance; and Wineberry.

Excused: Representative D. Sommers.

Referred to Committee on Appropriations.

February 15, 1991

HB 1416 Prime Sponsor, Representative R. King: Establishing a plan for mitigation requirements if game fish habitat is impaired. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: That Substitute House Bill No. 1416 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; Wilson, Ranking Minority Member; Fuhrman, Assistant Ranking Minority Member; Basich; Cole; Haugen; Hochstatter; Orr; Padden; and Spanel.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1440 Prime Sponsor, Representative Winsley: Regulating mobile homes.  
Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Bill No. 1440 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Ballard; Leonard; Ogden; and Wineberry.

Excused: Representative Wineberry.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1553 Prime Sponsor, Representative Haugen: Allowing counties to meet solid waste disposal standards. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schmidt, Ranking Minority Member; Neher, Assistant Ranking Minority Member; Beck; Casada; Fraser; Jacobsen; Ogden; and Wang.

Excused: Representatives Braddock, Brough, Heavey, Peery and Silver.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1623 Prime Sponsor, Representative Ogden: Capitalizing the housing trust fund. Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Bill No. 1623 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Leonard; Ogden; and Wineberry.

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

Excused: Representatives Leonard and Wineberry.

Referred to Committee on Capital Facilities & Financing.

February 15, 1991

HB 1624 Prime Sponsor, Representative Nelson: Changing provisions relating to the housing trust fund. Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Bill No. 1624 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Ballard; Leonard; Ogden; and Wineberry.

Excused: Representative Wineberry.

Referred to Committee on Capital Facilities & Financing.

February 15, 1991

HB 1631 Prime Sponsor, Representative Wineberry: Establishing in statute the commission on African-American affairs. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; Grant; Moyer; O'Brien; and Sheldon.

Excused: Representative R. Fisher.

Referred to Committee on Appropriations.

February 15, 1991

HB 1675 Prime Sponsor, Representative Inslee: Establishing civil docket priority for parties over seventy years of age or terminally ill. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; Tate; Vance; and Wineberry.

Excused: Representative D. Sommers.

Passed to Committee on Rules for second reading.

February 14, 1991

HB 1743 Prime Sponsor, Representative Dellwo: Revising regulation of high-interest consumer loans. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute House Bill No. 1743 be substituted therefor, and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Broback, Ranking Minority Member;

Mielke, Assistant Ranking Minority Member; Anderson; Inslee; R. Johnson; R. Meyers; Paris; Schmidt; Scott; and Winsley.

Excused: Representative Dorn.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Dorn, the bills listed on today's committee report under the fifth order of business were referred to the committees so designated.

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

#### MOTION

On motion of Mr. Dorn, House Bill No. 1993 was referred from Committee on Capital Facilities & Financing to Committee on Revenue.

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

#### MOTION

On motion of Mr. Dorn, the House adjourned until 10:00 a.m., Wednesday, February 20, 1991.

ALAN THOMPSON, Chief Clerk

JOSEPH E. KING, Speaker

**THIRTY-EIGHTH DAY**

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**MORNING SESSION**

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House Chamber, Olympia, Wednesday, February 20, 1991

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Joe Des Rochers and Sonja Jacobsen. Prayer was offered by Father Michael Ryan, St. Michael's Catholic Church of Olympia.

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

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

**INTRODUCTIONS AND FIRST READING**

**HB 2038** by Representative H. Sommers

AN ACT Relating to the water quality account; and amending RCW 70.146.080.

Referred to Committee on Capital Facilities & Financing.

**HB 2039** by Representatives Sprenkle, D. Sommers, Horn, Brekke, Anderson, Rust, Pruitt and Valle

AN ACT Relating to the building code council; and adding a new section to chapter 19.27 RCW.

Referred to Committee on Environmental Affairs.

**HB 2040** by Representatives Sprenkle, Cantwell, Rust, Spanel, Morris, R. King, Sheldon, Prentice, Braddock and Anderson

AN ACT Relating to health insurance; and adding a new section to chapter 48.42 RCW.

Referred to Committee on Health Care.

HB 2041 by Representatives McLean, Ballard, Dellwo, R. King, Miller and Nealey

AN ACT Relating to public utility districts borrowing or establishing lines of credit with any financial institution; and amending RCW 54.16.070.

Referred to Committee on Local Government.

HB 2042 by Representatives Appelwick and Padden

AN ACT Relating to earnest money agreements; and adding a new section to chapter 64.04 RCW.

Referred to Committee on Judiciary.

HB 2043 by Representative Dellwo

AN ACT Relating to employment agencies; amending RCW 19.31.020, 19.31.030, 19.31.040, 19.31.150, 19.31.170, and 19.31.190; and adding a new section to chapter 19.31 RCW.

Referred to Committee on Commerce & Labor.

HB 2044 by Representative Cooper

AN ACT Relating to the membership of the transportation improvement board; amending RCW 47.26.121; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 2045 by Representatives Day, Haugen, Silver, Padden and D. Sommers

AN ACT Relating to fluoridation by water supply systems; amending RCW 57.08.012; and adding a new section to chapter 54.04 RCW.

Referred to Committee on Local Government.

HB 2046 by Representatives Morris, Padden, Day, Fuhrman, Dorn, Pruitt and Nealey

AN ACT Relating to chiropractic assistants; and adding a new section to chapter 18.25 RCW.

Referred to Committee on Health Care.

HB 2047 by Representatives Basich, Hargrove, Riley, Jacobsen, Morris, Sheldon, Wood, P. Johnson and Jones

AN ACT Relating to a Washington coastal resources center; creating new sections; providing an expiration date; and making appropriations.

Referred to Committees on Natural Resources & Parks/ Appropriations.

HB 2048 by Representatives Moyer, Prentice, Paris, Braddock, Holland, Sprenkle, D. Sommers, Beck, Miller, Nealey, Padden, Winsley, Forner, Silver and Sheldon

AN ACT Relating to license renewal fees; and amending RCW 18.71.080.

Referred to Committee on Health Care.

HB 2049 by Representatives G. Fisher, Brough, Cantwell, Phillips, Belcher, Peery, Vance, Wineberry, Scott, Ebersole, R. Johnson, Holland, Dorn, Brumsickle, Cole, R. Meyers, Fraser, Hine, Grant, Cooper, Valle, R. Fisher, Spanel, Jacobsen, Morris, H. Myers, Haugen, Brekke, Nelson, Braddock, Jones, Bray, Hargrove, Leonard, Fuhrman, Orr, Rasmussen, Heavey, Sheldon, Sprenkle, Anderson, Riley, Roland, Winsley, Mitchell, Forner, Basich, Ludwig and Silver

AN ACT Relating to education financial accountability; and creating new sections

Referred to Committee on Appropriations.

HB 2050 by Representatives R. Meyers, Spanel and R. Johnson

AN ACT Relating to county ferry systems; and amending RCW 47.56.725.

Referred to Committee on Transportation.

HB 2051 by Representatives Dorn, Ballard, Basich, Hochstatter, Grant, Tate, Sheldon, Broback, Hargrove, Moyer, Rayburn, Lisk, Kremen, Day, Cooper, Mielke, Zellinsky, McLean, Rasmussen, Heavey, Horn, Fuhrman, Beck, Wilson, Padden, Ferguson, May, Winsley, Mitchell, Morris, D. Sommers, Morton, Bowman, Ludwig, Riley, Peery, Betrozoff, P. Johnson and Silver

AN ACT Relating to the imposition of moratorium or interim zoning by permit-granting agencies; adding new sections to chapter 36.70 RCW; adding new sections to chapter 36.63 RCW; adding new sections to chapter 35A.63 RCW; and creating a new section.

Referred to Committee on Local Government.

HB 2052 by Representatives Anderson, Bowman and Wineberry

AN ACT Relating to cultural diversity in the state civil service work force; adding a new section to chapter 41.06 RCW; adding a new section to chapter 28B.16 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on State Government.

HB 2053 by Representatives Heavey, Fuhrman, G. Fisher, Grant, D. Sommers, Cooper, Mielke, Wood, Orr, Day, Ludwig and Silver

AN ACT Relating to electrical licensing exemptions; and amending RCW 19.28.200.

Referred to Committee on Commerce & Labor.

HB 2054 by Representative Braddock

AN ACT Relating to water districts; amending RCW 57.08.080, 57.08.090, and 57.20.020; and reenacting and amending RCW 57.08.010.

Referred to Committee on Local Government.

HB 2055 by Representative Braddock

AN ACT Relating to criminal history background checks; amending RCW 43.43.834, 43.43.842, and 9.94A.230; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2056 by Representative Braddock; by request of Department of Health

AN ACT Relating to vital statistics; amending RCW 26.04.090, 26.04.165, 26.26.040, 26.33.290, 35A.70.070, 43.121.100, 70.58.107, 70.58.310, 70.58.320, 70.58.330, 70.58.340, and 70.58.390; reenacting and amending RCW 26.09.020 and 26.09.150; adding a new chapter to Title 70 RCW; creating new sections; recodifying RCW 70.58.085, 70.58.107, 70.58.300, 70.58.310, 70.58.320, 70.58.322, 70.58.330, 70.58.332, 70.58.334, 70.58.338, 70.58.340, 70.58.350, and 70.58.390; repealing RCW 70.58.005, 70.58.010, 70.58.020, 70.58.030, 70.58.040, 70.58.050, 70.58.070, 70.58.080, 70.58.095, 70.58.100, 70.58.104, 70.58.110, 70.58.120, 70.58.130, 70.58.145, 70.58.150, 70.58.160, 70.58.170, 70.58.180, 70.58.190, 70.58.200, 70.58.210, 70.58.230, 70.58.240, 70.58.250, 70.58.260, 70.58.270, 70.58.280, 70.58.324, 70.58.380, and 43.70.160; and prescribing penalties.

Referred to Committee on Health Care.

HB 2057 by Representatives Day, H. Sommers, Dellwo, D. Sommers, Orr, Mielke, Nealey, Wang, Prince, Moyer, Scott, Hine and Wineberry

AN ACT Relating to public facilities districts; amending RCW 82.14.050 and 82.14.060; and adding a new section to chapter 82.14 RCW.

Referred to Committees on Trade & Economic Development/ Revenue.

HB 2058 by Representatives Scott, Riley, Paris, H. Myers, Miller, Forner, Belcher, Ludwig, Inslee, Wineberry, Locke, Appelwick, Holland, Roland, Winsley, D. Sommers, Morris, Spanel, R. Johnson and Rasmussen

AN ACT Relating to application of the statute of limitations to actions based on childhood sexual abuse; amending RCW 4.16.340; and creating a new section.

Referred to Committee on Judiciary.

HB 2059 by Representatives H. Myers, Grant, O'Brien, Wineberry, Orr and Anderson

AN ACT Relating to low-income residential weatherization and energy assistance; amending RCW 35.21.300, 54.16.285, and 80.28.010; and creating a new section.

Referred to Committee on Energy & Utilities.

HB 2060 by Representatives H. Myers, Grant, O'Brien, Wineberry, Orr and Anderson

AN ACT Relating to energy efficiency; adding new sections to chapter 70.164 RCW; adding new sections to chapter 80.28 RCW; creating a new section; and making an appropriation.

Referred to Committees on Energy & Utilities/Appropriations.

HB 2061 by Representatives Grant, Cooper and H. Myers

AN ACT Relating to the state energy code for nonresidential buildings; and adding a new section to chapter 19.27A RCW.

Referred to Committee on Energy & Utilities.

HB 2062 by Representative Belcher

AN ACT Relating to public employee payroll deductions; and amending RCW 41.04.230.

Referred to Committee on State Government.

HB 2063 by Representatives Dorn, Ballard, Basich, Hochstatter, Grant, Tate, Sheldon, Broback, Hargrove, Casada, Rayburn, Moyer, Kremen, Lisk, Cooper, McLean, Zellinsky, D. Sommers, Rasmussen, Heavey, Van Luven, Horn, Fuhrman, Beck, Wilson, Padden, May, Winsley,

Mitchell, Morris, Bowman, Riley, Peery, Betrozoff, P. Johnson and Inslee

AN ACT Relating to the state environmental policy act; adding a new section to chapter 43.21C RCW; and creating a new section.

Referred to Committee on Environmental Affairs.

HB 2064 by Representatives G. Fisher, Vance, Belcher, Valle, Locke, Pruitt and Hine

AN ACT Relating to responsible expression in the public schools; adding new sections to chapter 28A.600 RCW; and creating a new section.

Referred to Committee on Education.

HB 2065 by Representatives Anderson, Bowman and Wineberry; by request of State Investment Board

AN ACT Relating to the administration of the state investment board; and amending RCW 43.33A.030 and 43.33A.100.

Referred to Committee on State Government.

HB 2066 by Representatives Locke, May and O'Brien

AN ACT Relating to property tax relief for senior citizens and disabled persons; amending RCW 84.36.381; and creating a new section.

Referred to Committee on Revenue.

HB 2067 by Representatives Locke, May and O'Brien

AN ACT Relating to averaging large property tax valuation increases; amending RCW 84.04.030, 84.40.020, 84.40.030, 84.40.040, 84.40.045, 84.41.041, 84.48.010, 84.48.065, 84.48.075, 84.48.080, 84.12.270, 84.12.280, 84.12.310, 84.12.330, 84.12.350, 84.12.360, 84.16.040, 84.16.050, 84.16.090, 84.16.110, 84.16.120, 84.24.040, 84.36.041, 84.52.063, and 84.70.010; adding a new section to chapter 84.04 RCW; adding a new section to chapter 84.40 RCW; and providing a contingent effective date.

Referred to Committee on Revenue.

HB 2068 by Representatives Phillips, Miller, Prentice, Brumsickle, Appelwick, Cole, Winsley, Cooper, Tate, Fraser, Mielke, Franklin, Brekke, Sprenkle, Horn, R. King, Pruitt, Beck, Padden, Ferguson, Holland, Riley, Mitchell, Valle, D. Sommers, Vance, Fomer, Basich, Wineberry, Betrozoff, Silver, Wynne and Paris

AN ACT Relating to good faith communications by citizens to government agencies; amending RCW 4.24.500 and 4.24.520; adding new sections to chapter 4.24 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 2069 by Representatives Lisk, Heavey, Ballard, Grant, D. Sommers, Kremen, Fuhrman, Prince, Rayburn, Chandler, Winsley, Mitchell, Vance, Inslee and Silver

AN ACT Relating to employer relief from unemployment insurance charges; and amending RCW 50.29.020.

Referred to Committee on Commerce & Labor.

HB 2070 by Representatives Nelson, R. Fisher, Valle and Brekke

AN ACT Relating to a local option sales and use tax on motor vehicle and special fuels; amending RCW 81.104.140, 81.104.180, and 81.104.190; adding new sections to chapter 81.104 RCW; and declaring an emergency.

Referred to Committee on Transportation.

HJR 4223 by Representatives Fuhrman and Nealey

Amending the Constitution to declare English as the official language of the state of Washington.

Referred to Committee on State Government.

HJR 4224 by Representatives Locke, R. King and Winsley

Amending the Constitution to allow the legislature to phase-in large increases in property assessments.

Referred to Committee on Revenue.

#### MOTION

On motion of Mr. Dorn, the bills and resolutions listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

## REPORTS OF STANDING COMMITTEES

February 15, 1991

HB 1147 Prime Sponsor, Representative Pruitt: Changing provisions relating to citizen service. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:  
On page 3, line 24, strike "additional"

On page 8, line 1, after "agencies" delete "to assist in the work of the council" and insert "to work on citizen service activities on behalf of those agencies"

Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; Grant; Moyer; O'Brien; and Sheldon.

Excused: Representative R. Fisher.

Passed to Committee on Rules for second reading.

February 13, 1991

HB 1201 Prime Sponsor, Representative Cooper: Removing references county clerks. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1201 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Excused: Representative Nelson.

Passed to Committee on Rules for second reading.

February 18, 1991

HB 1212 Prime Sponsor, Representative Peery: Changing the dollar amounts for school district competitive bidding. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1212 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Cole; Dorn; Holland; P. Johnson; Jones; Orr; Phillips; Rasmussen; Roland; and H. Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Broback; Brumsickle; and Neher.

Voting nay: Representatives Broback; Brumsickle; Neher; and Valle.

Excused: Representative Betrozoff.

Passed to Committee on Rules for second reading.

February 18, 1991

HB 1311 Prime Sponsor, Representative Orr: Establishing the fair start program. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1311 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Excused: Representative Betrozoff.

Referred to Committee on Appropriations.

February 19, 1991

HB 1428 Prime Sponsor, Representative Neher: Altering budget request requirements. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass with the following amendment:

On page 4, line 12, after "least" strike "~~((the two))~~ one fiscal period ((s))" and insert "the two fiscal periods"

Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schmidt, Ranking Minority Member; Neher, Assistant Ranking Minority Member; Beck; Braddock; Brough; Casada; Fraser; Heavey; Jacobsen; Ogden; Peery; Silver; and Wang.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1457 Prime Sponsor, Representative Haugen: Prohibiting additives for on-site sewage disposal systems. Reported by Committee on Environmental Affairs

MAJORITY recommendation: That Substitute House Bill No. 1457 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; Neher; Phillips; Pruitt; Sprengle; and Van Luven.

Excused: Representatives Pruitt and D. Sommers.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1519 Prime Sponsor, Representative Sprenkle: Concerning the transport of recovered materials. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; Neher; Phillips; Pruitt; Sprenkle; and Van Luven.

Excused: Representatives Pruitt and D. Sommers.

Passed to Committee on Rules for second reading.

February 18, 1991

HB 1532 Prime Sponsor, Representative Dorn: Granting temporary waivers of school day requirements for missed days due to snow. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1532 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Excused: Representative Betrozoff.

Passed to Committee on Rules for second reading.

February 19, 1991

HB 1582 Prime Sponsor, Representative H. Myers: Providing for filing a statement of claim for water rights. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: That Substitute House Bill No. 1582 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Minority Member; P. Johnson, Assistant Ranking Minority Member; Chandler; Grant; R. Johnson; Lisk; McLean; Rasmussen; and Roland.

Referred to Committee on Natural Resources & Parks.

February 15, 1991

HB 1616 Prime Sponsor, Representative Ludwig: Providing seizure of property involved in a felony. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1616 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; Tate; Vance; and Wineberry.

Excused: Representative D. Sommers.

Passed to Committee on Rules for second reading.

February 15, 1991

HB 1676 Prime Sponsor, Representative Inslee: Establishing punitive liability for injury or wrongful death from driving while intoxicated. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1676 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Broback; Hargrove; Inslee; R. Meyers; H. Myers; Riley; and Scott.

MINORITY recommendation: Do not pass. Signed by Representatives Paris, Assistant Ranking Minority Member; Forner; Locke; Mielke; Tate; and Vance.

Excused: Representatives Belcher and D. Sommers.

Passed to Committee on Rules for second reading.

February 19, 1991

HB 1955 Prime Sponsor, Representative Rayburn: Changing provisions regarding misbranded or adulterated food. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Minority Member; P. Johnson, Assistant Ranking Minority Member; Chandler; Grant; R. Johnson; Lisk; McLean; Rasmussen; and Roland.

Passed to Committee on Rules for second reading.

February 19, 1991

HJM 4005 Prime Sponsor, Representative Bray: Requesting Congress to create a HAMMER training center at Hanford. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Grant, Chair; H. Myers, Vice Chair; May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Bray; Casada; Cooper; R. Fisher; Jacobsen; Miller; and Rayburn.

Excused: Representatives H. Myers, Vice Chair; Jacobsen; and Miller.

Passed to Committee on Rules for second reading.

February 15, 1991

HCR 4405 Prime Sponsor, Representative Rust: Creating a Biospheric Task Force. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:  
On page 3, line 3, after "That" insert "beginning December 1992,"

On page 3, line 6, after "that the" strike "December 1991" and insert "December 1992"

Signed by Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; Neher; Phillips; Pruitt; Sprengle; and Van Luven.

Excused: Representative D. Sommers.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Dorn, the bills, memorial and resolution listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

#### SECOND READING

#### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1273 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1273, by Representatives R. Johnson, Betrozoff, Jones and Paris; by request of Utilities & Transportation Commission

Requiring motor carriers to submit copies of contracts with permit applications.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives R. Johnson and Chandler spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1273, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1273, having received the constitutional majority, was declared passed.

### MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 1039 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1057, by Representatives Anderson, McLean, R. Fisher, Ferguson and Miller; by request of Washington State Patrol

Providing protection to the lieutenant governor.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Anderson and McLean spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1057, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1057, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1061, by Representatives Ludwig, Padden, R. Meyers, Ferguson, Miller, Orr, Kremen, Winsley and Sheldon

Making funeral expenses and cost of administration fully deductible from the decedent's estate.

The bill was read the second time. On motion of Mr. Appelwick, Substitute House Bill No. 1061 was substituted for House Bill No. 1061, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1061 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ludwig and Padden spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1061, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R.,

Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1061, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1063, by Representatives Ludwig, Padden, R. Meyers and Orr

Revising provisions on disposition of disclaimed interest.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Ludwig spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1063, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1063, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1111, by Representatives Scott, Beck, Belcher, Miller, Bowman, Brumsickle, Winsley, Kremen, Rasmussen, Basich and Nelson

Authorizing the department of natural resources to establish a program in community and urban forestry.

The bill was read the second time. On motion of Ms. Belcher, Substitute House Bill No. 1111 was substituted for House Bill No. 1111, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1111 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Scott and Beck spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1111, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1111, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1116, by Representatives R. Meyers, Appelwick, R. Fisher, Wood, Paris and Edmondson; by request of Department of Licensing

Authorizing alternative forms of financial responsibility.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Dorn spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1116, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1116, having received the constitutional majority, was declared passed.

The Speaker assumed the Chair.

HOUSE BILL NO. 1128, by Representatives R. Fisher, Schmidt, R. Meyers, Betzoff, Wood and Zellinsky

Concerning high occupancy vehicle violations.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 29th Day, February 11, 1991.)

Ms. R. Fisher moved adoption of the committee amendment. Ms. R. Fisher spoke in favor of adoption of the committee amendment, and Ms. Brough spoke against it. The committee amendment was adopted.

Mr. Holland moved adoption of the following amendment by Representatives Holland, Kremen, Wynne, May, Horn, Zellinsky, Beck and Miller:

On page 1, after line 12, insert "Sec. 2. RCW 46.61 RCW and 1984 c 7 s 65 are each amended to read as follows:

The state department of transportation and the local authorities are authorized to reserve all or any portion of any highway under their respective jurisdictions, including any designated lane or ramp, for the exclusive or preferential use of public transportation vehicles or private motor vehicles carrying no fewer than a specified number of passengers when such limitation will increase the efficient utilization of the highway or will aid in the conservation of energy resources. Regulations authorizing such exclusive or preferential use of a highway facility may be declared to be effective at ~~all~~ peak times or at other specified times of day or on specified days."

Representatives Holland and May spoke in favor of adoption of the amendment, and Representatives Appelwick, R. Fisher and Betzoff spoke against it. The amendment was not adopted.

With consent of the House, the committee amendment to the title was adopted.

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. R. Fisher spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1128, and the bill passed the House by the following vote: Yeas - 94, Nays - 3, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Brough, Hochstatter, Holland - 03.

Absent: Representative Beck - 01.

Engrossed House Bill No. 1128, having received the constitutional majority, was declared passed.

### STATEMENT FOR THE JOURNAL

I would have voted "Yea" on Engrossed House Bill No. 1128. I was in conference with Representative Belcher concerning natural resources issues.

JOHN BYRON BECK, 21st District.

### SPEAKER'S PRIVILEGE

The Speaker: It is a particular honor for me to welcome some very distinguished guests to the Washington State House of Representatives. They are consular officers representing twenty-one countries at post in the Seattle area.

They have been invited here today to receive our thanks and appreciation for the invaluable contributions they have made to the people of the state of Washington.

In addition to their administrative functions, they have focused their efforts on promoting cultural, educational and economic ties between our governments. The spirit of cooperation and friendship which encompasses their work has helped create a rich environment in our state in which international activities flourish.

Members of the Seattle consular corps, please accept our deepest thanks.

The Speaker introduced the Consul General of Germany and Dean of the Seattle Consular Corps, Dr. Hans Jurgen Mendel; the Consul General of Mexico, Raul Lopez Lira Castro; the Consul General of Japan, Shinsuke Hirai; the Consul of Japan, Mitsuru Murase; the Consul General of Canada, Roger Bull; the Consul General of Korea, Chang Soo Ko; the Consul General of the Philippines, Hermenegildo Garcia; the Director General of the Coordination Council for North American Affairs representing Taiwan, Hsi-tsan Chen; Assistant to the Director General, Anna Kao; the Consul General of Austria, Walter Weber; the Consul General of Peru, Victor Schiantarelli; the Consul of Bolivia, Ricardo Antezana; the Consul of Sweden, Clifford Benson; the Consul of Norway, Thomas Stang; the Consul of Denmark, Martin Metzton; the Consul of Honduras, Javier Pinel; the Consul of Finland, Norman Westerberg; the Consul of France, Edgar Wood; the Consul of New Zealand, John Bollard; the Consul of Malawi, Donald Brody; the Vice Consul of Italy, Quinto DeVitis; Consul Emeritus of Finland, Carl Helgren; and Consul Emeritus of France, Roger Gotteland. The consular officers, who were seated in places of honor at the rear of the House Chamber, were welcomed by the members of the House of Representatives.

#### SPEAKER'S PRIVILEGE

The Speaker: Now it is my pleasure to present the Dean of the Seattle Consular Corps, Dr. Hans Jurgen Mendel, the Consul General of Germany. Dr. Mendel received his Doctorate of Law degree in 1957. He entered the Foreign Service in 1962 and was assigned to the Netherlands--first to the Consulate General in Rotterdam and later to the Embassy at The Hague. During his career he has also served his country in Sweden, Spain and France. He is fluent in a number of languages, including Italian, Swedish, Dutch, English and French, and has a working knowledge of Spanish. We have persuaded him to speak to us in English today. Dr. Mendel assumed his post as Consul General of Germany in Seattle on July 14, 1989, and his jurisdiction covers Washington, Oregon, Alaska and Montana. Please welcome Dr. Mendel.

#### REMARKS BY DR. HANS JURGEN MENDEL

Dr. Mendel: Distinguished members of the House of Representatives: First of all, I want to thank you for this invitation to take part in a session of the Legislature, which has become a sort of tradition for our consular corps. We have some special events in the social life of the year--an event in Seattle in the month of May and another in Tacoma in November--but the only official invitation is this one to Olympia, the Capital of the State of Washington.

Please allow me to say a few words about our consular corps, because I suppose that not everybody is well informed about this. The majority of the consular corps consists of so-called honorary consuls. These represent foreign countries and they are either American citizens or citizens of their respective countries, but they do not work as full-time consuls; they have normal professions like businessmen and others. Career consuls, on the other hand, are full-time consuls. They are employed by their governments and they are posted from one country to the other. Here in the city of Seattle, the largest city in

Washington, we have all together twenty-eight countries represented. Eight countries are represented by full-time civil servants. These are Canada, Japan, Korea, the Philippines, Mexico, Great Britain--by a commercial consul--and Germany. There are frequent changes among the career consuls. For example, only the Mexican consul and myself were here last year; all the other career consuls present today are here in Olympia for the first time.

Please allow me to make a few remarks about the political situation. In this capacity I cannot speak as the Dean of the Consular Corps, because I do not know the opinions of all my colleagues. I can only speak for Germany in this case. I want to point out that we follow the events in the Near East with greatest attention and excitement. We admire and appreciate the commitment by the United States and other countries in the Gulf War. I have little or no understanding for so-called peace demonstrations, organized by peace movements and other organizations. The silent majority of my country does not demonstrate, but they stand firmly behind the United States and behind your President. The other day I had a discussion with a young man and, when I mentioned Mr. Bush, I did not speak of him as "your President" but as "our President." This shows clearly how I think about this. I want to add that the present situation in Kuwait cannot be accepted and tolerated by the free world. Something must happen. I do not believe in so-called free peace negotiations, because I am convinced that a man like Saddam Hussein will never withdraw or retreat from Kuwait. It cannot be tolerated that a small peaceful country is occupied and invaded by its powerful neighbor. The United States has already worked at peace-keeping missions during the second world war, when not only my country Germany but the whole world was liberated from Hitler. Now we have a quite similar situation in the Near East. I pray that a solution can be found very quickly--this solution can only be either a surrender of the Iraqi army or their defeat. I am sure that this will happen in the very near future. I wish that the United States and the other countries of this alliance will have a quick and effective victory. Above all, I pray that the brave American soldiers, men and women who are now serving in the Arabian deserts, will come home safe and sound and with a minimum of casualties.

Thank you, ladies and gentlemen.

## SECOND READING

HOUSE BILL NO. 1142, by Representatives Rasmussen, Bowman, Chandler, Kremen, Spanel, Roland, Tate, Sprenkle, McLean, Dorn, Rayburn, Haugen, Riley, R. Johnson, Grant, Jones, Phillips, Orr, Brumsickle, Ferguson, Ballard, P. Johnson, Sheldon, Hochstatter, Paris, Fuhrman, Morton, Padden, Edmondson, Lisk, Berozoff, Wynne, Nealey and Moyer

Redefining the agricultural products for which processor liens may be established.

The bill was read the second time. On motion of Ms. Rayburn, Substitute House Bill No. 1142 was substituted for House Bill No. 1142, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1142 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Nealey spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1142, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky - 97.

Absent: Mr. Speaker - 01.

Substitute House Bill No. 1142, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1237, by Representatives Day, Ballard, Prentice, Ferguson, Cantwell, Paris, Rayburn, Nealey, Padden, Orr and Rasmussen

Allowing a veterinarian to dispense legend drugs prescribed by another veterinarian.

The bill was read the second time. On motion of Ms. Rayburn, Substitute House Bill No. 1237 was substituted for House Bill No. 1237, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1237 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rayburn and Nealey spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1237, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1237, having received the constitutional majority, was declared passed.

The Speaker called on Representative R. Meyers to preside.

## MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 1255 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1270, by Representatives Spanel, Silver, Hine, Paris, May, P. Johnson, Winsley, Hochstatter, Nealey, Wynne, Edmondson, Bowman, D. Sommers, Betrozoff, Wood, Horn, Miller, Ballard, McLean and Basich

Reorganizing the statutes governing the state's retirement systems.

The bill was read the second time. On motion of Mr. Locke, Substitute House Bill No. 1270 was substituted for House Bill No. 1270, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1270 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Spanel and McLean spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1270, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1270, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1272, by Representatives R. Fisher, Betzoff, Forner, Paris, Van Luven and Wineberry; by request of Utilities & Transportation Commission

Changing the limits on liability of common carriers for damage or loss of baggage.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. R. Fisher spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1272, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1272, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1642, by Representatives Fraser, Brumsickle, Van Luven, Phillips, Holland, Rasmussen, Winsley and Bowman

Modifying the definition of disposable income for senior citizen tax relief.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Fraser, Holland and Ferguson spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1642, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1642, having received the constitutional majority, was declared passed.

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

### MOTION

On motion of Mr. Ebersole, the House adjourned until 12:00 Noon, Thursday, February 21, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

THIRTY-NINTH DAY

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NOON SESSION

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House Chamber, Olympia, Thursday, February 21, 1991

The House was called to order at 12:00 Noon by the Speaker (Mr. O'Brien presiding).

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

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

INTRODUCTIONS AND FIRST READING

HB 2071 by Representatives Moyer, Prentice, Day and Braddock

AN ACT Relating to the medical disciplinary board; adding a new section to chapter 18.72 RCW; and repealing RCW 18.72.040, 18.72.050, 18.72.055, 18.72.060, 18.72.070, and 18.72.080.

Referred to Committee on Health Care.

HB 2072 by Representatives McLean, Rasmussen, Chandler, Lisk, Grant, Kremen, Nealey, Fuhrman and Morton

AN ACT Relating to the circuit rider assistance program; adding new sections to chapter 43.63A RCW; making an appropriation; and declaring an emergency.

Referred to Committees on Trade & Economic Development/ Appropriations.

HB 2073 by Representatives Padden, Morris, Silver, Winsley, Casada, Bowman, Vance, Broback, Fuhrman, P. Johnson, Morton, Wynne, Moyer, Edmondson, Van Luven and Mitchell

AN ACT Relating to selling controlled or counterfeit substances for profit; amending RCW 9.94A.030, 9.94A.310, and 9.94A.320; reenacting and amending RCW 69.50.435; and prescribing penalties.

Referred to Committee on Judiciary.

HB 2074 by Representatives Zellinsky, Schmidt and Pruitt

AN ACT Relating to sewage disposal systems; amending RCW 43.20.050; and reenacting and amending RCW 18.43.130.

Referred to Committee on Local Government.

HB 2075 by Representatives Haugen and Ferguson

AN ACT Relating to the township organization of a county; amending RCW 45.04.010 and 29.04.010; and repealing RCW 45.04.020, 45.04.030, 45.08.010, 45.08.020, 45.08.060, 45.08.070, 45.08.080, 45.08.090, 45.12.010, 45.12.020, 45.12.021, 45.12.030, 45.12.040, 45.12.050, 45.12.060, 45.12.070, 45.12.080, 45.12.090, 45.12.100, 45.12.110, 45.12.120, 45.12.130, 45.12.140, 45.12.150, 45.12.160, 45.12.170, 45.12.180, 45.12.190, 45.12.200, 45.12.210, 45.12.220, 45.12.230, 45.12.240, 45.16.010, 45.16.020, 45.16.030, 45.16.035, 45.16.040, 45.16.060, 45.16.070, 45.16.080, 45.16.090, 45.16.100, 45.16.110, 45.16.120, 45.20.010, 45.20.020, 45.24.010, 45.24.040, 45.24.050, 45.24.060, 45.28.010, 45.28.020, 45.28.030, 45.28.040, 45.28.050, 45.28.060, 45.28.070, 45.28.100, 45.32.010, 45.32.020, 45.32.030, 45.32.050, 45.32.060, 45.32.070, 45.32.080, 45.32.090, 45.36.010, 45.36.020, 45.36.030, 45.40.010, 45.40.030, 45.44.010, 45.48.010, 45.48.020, 45.48.030, 45.48.040, 45.52.010, 45.52.020, 45.52.030, 45.52.040, 45.52.050, 45.52.060, 45.52.070, 45.52.080, 45.52.090, 45.54.010, 45.54.020, 45.56.010, 45.56.040, 45.56.050, 45.56.070, 45.56.080, 45.64.010, 45.64.020, 45.64.030, 45.64.040, 45.64.050, 45.64.060, 45.64.070, 45.64.080, 45.72.010, 45.72.020, 45.72.030, 45.72.040, 45.72.050, 45.72.060, 45.72.060, 45.76.020, 45.76.030, 45.76.040, 45.76.050, 45.76.060, 45.76.070, 45.76.080, 45.76.090, 45.76.100, 45.80.010, 45.80.020, 45.80.030, 45.80.040, 45.80.050, 45.80.060, 45.80.070, 45.80.080, 45.80.100, 45.82.010, and 45.82.020.

Referred to Committee on Local Government.

HB 2076 by Representatives Cantwell, Braddock and Anderson

AN ACT Relating to the basic health plan; amending RCW 70.47.020, 70.47.030, 70.47.060, 70.47.080, and 43.131.355; reenacting and amending RCW 43.131.356; adding a new section to chapter 70.47 RCW; creating new sections; and providing an effective date.

Referred to Committee on Health Care.

HB 2077 by Representatives Hine, Silver, Peery and Holland

AN ACT Relating to school district employee benefits; amending RCW 28A.400.275; and adding a new section to chapter 28A.400 RCW.

Referred to Committee on Appropriations.

HB 2078 by Representatives Jones, Heavey, Mielke, Cole, Wood, Vance, Phillips, R. Johnson, Edmondson, Orr, Jacobsen, Bray, Nelson, Rayburn, R. Meyers, Holland, Grant, Sheldon, Ludwig, Brumsickle, Winsley, Bowman, Morton, Wynne, Moyer, Mitchell and Anderson

AN ACT Relating to military service credit; amending RCW 41.40.710; and reenacting and amending RCW 41.40.005.

Referred to Committee on Appropriations.

HB 2079 by Representatives Sprenkle, R. Meyers, Brough, Leonard, Braddock, Morris, Holland, Phillips, Belcher, Brekke, Grant and Mitchell

AN ACT Relating to defining and handling treated infectious waste; adding new sections to chapter 70.95 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Environmental Affairs.

HB 2080 by Representatives Heavey, Winsley, Vance and Wynne; by request of Gambling Commission

AN ACT Relating to legislative review of compacts negotiated under the federal Indian gaming regulatory act of 1988; and adding a new section to chapter 9.46 RCW.

Referred to Committee on Commerce & Labor.

HB 2081 by Representatives Day, Former, Prentice and Casada

AN ACT Relating to clinical laboratory science practitioners; adding a new chapter to Title 18 RCW; and providing effective dates.

Referred to Committee on Health Care.

HB 2082 by Representative Appelwick

AN ACT Relating to district courts; and amending RCW 3.34.060 and 3.34.100.

Referred to Committee on Judiciary.

HB 2083 by Representative Brekke

AN ACT Relating to family support centers; creating new sections; and making an appropriation.

Referred to Committees on Human Services/Appropriations.

HB 2084 by Representatives Prentice, Cole, Brekke, Braddock, Anderson, Day and Leonard

AN ACT Relating to nonphysician health practitioners; amending RCW 70.43.020, 70.43.030, 70.170.070, and 74.09.522; adding new section to chapter 70.41 RCW; adding a new section to chapter 70.58 RCW; and prescribing penalties.

Referred to Committee on Health Care.

HB 2085 by Representatives Prentice, R. King, Franklin, Phillips, Brekke, Spanel, Cole, Anderson, Day, Leonard and Wang

AN ACT Relating to minority human service providers and consumers; amending RCW 28A.175.020, 28A.175.060, 28A.180.040, 28A.180.050, 28A.180.060, 28A.620.010, and 28A.620.020; adding a new section to chapter 28A.415 RCW; adding new sections to chapter 43.20A RCW; and creating a new section.

Referred to Committee on Human Services.

HB 2086 by Representative Appelwick

AN ACT Relating to security interests in farm crops; amending RCW 62A.9-307, 62A.9-402, and 62A.9-407; adding new sections to chapter 62A.9 RCW; creating new sections; prescribing penalties; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committees on Judiciary/Appropriations.

HJR 4225 by Representatives Cooper, Anderson and D. Sommers

Requiring initiatives to the legislature to be voted on before the end of the regular legislative session.

Referred to Committee on State Government.

HJR 4226 by Representatives Appelwick, Winsley, Vance, D. Sommers and Broback

Amending the Constitution to change the method of selecting the chief justice of the state supreme court.

Referred to Committee on Judiciary.

HCR 4411 by Representatives Cole, R. King, Nelson, Heavey, Franklin, Jacobsen, Prentice, Fuhrman, Brekke, O'Brien, Zellinsky, Valle, Ballard, Lisk, R. Fisher, Jones, Vance, Orr and Anderson

Establishing a task force on workers' compensation.

Referred to Committee on Commerce & Labor.

## MOTION

On motion of Mr Dorn, the bills and resolutions listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

## REPORTS OF STANDING COMMITTEES

February 19, 1991

HB 1032 Prime Sponsor, Representative Haugen: Providing county reimbursement for selected transportation of human remains. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Bowman; Brekke; Dorn; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Valle; and Wineberry.

Excused: Representatives Braddock; Ebersole; Holland; Peery; H. Sommers; Vance; and Wang.

Passed to Committee on Rules for second reading.

February 20, 1991

HB 1066 Prime Sponsor, Representative Prentice: Establishing the Hispanic American endowed scholarship program. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute House Bill No. 1066 be substituted therefor, and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Basich; Dellwo; Fraser; Ludwig; Miller; Prince; Sheldon; Spanel; and Van Luven.

Referred to Committee on Appropriations.

February 18, 1991

HB 1090 Prime Sponsor, Representative Leonard: Creating a state-wide system of early intervention services for infants and toddlers with disabilities or special needs. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1090 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate,

Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Referred to Committee on Appropriations.

February 20, 1991

HB 1115 Prime Sponsor, Representative Appelwick: Revising references that are incorrect as a result of the creation of the department of health under chapter 9, Laws of 1989 2st ex.s. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

Passed to Committee on Rules for second reading.

February 19, 1991

HB 1225 Prime Sponsor, Representative Winsley: Providing a procedure for the classification and valuation of property devoted primarily to low-income housing. Reported by Committee on Revenue

MAJORITY recommendation: Do pass with the following amendments:  
On page 5, line 14, strike "five" and insert "three"  
On page 6, line 9, strike "five" and insert "three"

Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morton; Phillips; Rust; Silver; and Van Luven.

Excused: Representative Morris.

Passed to Committee on Rules for second reading.

February 19, 1991

HB 1241 Prime Sponsor, Representative Heavey: Concerning construction liens for improvements on a single-family home. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1241 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Passed to Committee on Rules for second reading.

February 18, 1991

HB 1268 Prime Sponsor, Representative Spanel: Changing provisions relating to retirement service credit. Reported by Committee on Appropriations

MAJORITY recommendation: That Substitute House Bill No. 1268 be substituted therefor, and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Bowman; Braddock; Brekke; Dorn; Ferguson; Fuhrman; Hine; Lisk; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Vance; and Wang.

Excused: Representatives Appelwick; Belcher; Ebersole; Holland; May; and Wineberry.

Passed to Committee on Rules for second reading.

February 19, 1991

HB 1269 Prime Sponsor, Representative Silver: Changing provisions relating to public retirement. Reported by Committee on Appropriations

MAJORITY recommendation: That Substitute House Bill No. 1269 be substituted therefor, and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Bowman; Brekke; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Rust; and Wineberry.

Excused: Representatives Belcher; Braddock; Dorn; Ebersole; Holland; Peery; Pruitt; H. Sommers; Sprenkle; Valle; Vance; and Wang.

Passed to Committee on Rules for second reading.

February 19, 1991

HB 1281 Prime Sponsor, Representative Jones: Revising provisions for workers' compensation benefits. Reported by Committee on Commerce & Labor

MAJORITY recommendation: . Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Vance; and Wilson.

Referred to Committee on Appropriations.

February 19, 1991

HB 1286 Prime Sponsor, Representative Franklin: Revising collective bargaining provisions for superior court employees. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; and Vance.

Referred to Committee on Appropriations.

February 18, 1991

HB 1390 Prime Sponsor, Representative Hine: Creating a community mobilization program for teens. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1390 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Anderson; Beck; Brekke; R. King; and H. Myers.

MINORITY recommendation: Do not pass. Signed by Representatives Tate, Assistant Ranking Minority Member; Hargrove; and Hochstatter.

Referred to Committee on Appropriations.

February 20, 1991

HB 1419 Prime Sponsor, Representative Spanel: Stopping the conversion of full-time community college faculty positions to part-time positions. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute House Bill No. 1419 be substituted therefor, and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Basich; Dellwo; Fraser; Miller; Sheldon; Spanel; and Van Luven.

Excused: Representatives Ludwig and Prince.

Referred to Committee on Appropriations.

February 20, 1991

HB 1424 Prime Sponsor, Representative Franklin: Establishing the African American endowed scholarship program. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute House Bill No. 1424 be substituted therefor, and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Basich; Dellwo; Fraser; Ludwig; Miller; Prince; Sheldon; Spanel; and Van Luyen.

Referred to Committee on Appropriations.

February 19, 1991

HB 1458 Prime Sponsor, Representative Ludwig: Ending dual registration requirements for limousine charter party carriers. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betzoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Horn; P. Johnson; R. Johnson; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; and Wood.

Excused: Representatives Brough; Heavey; Jones; Prince; and Wilson.

Passed to Committee on Rules for second reading.

February 19, 1991

HB 1480 Prime Sponsor, Representative R. Meyers: Allowing reciprocal insurer to affect title to real property. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Broback, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Anderson; Dorn; Inslee; R. Johnson; R. Meyers; Paris; Schmidt; Scott; and Winsley.

Passed to Committee on Rules for second reading.

February 19, 1991

HB 1486 Prime Sponsor, Representative Rust: Establishing new integrated pest management procedures. Reported by Committee on Environmental Affairs

MAJORITY recommendation: That Substitute House Bill No. 1486 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; Neher; Phillips; Pruitt; D. Sommers; and Sprenkle.

Excused: Representatives Brekke; Sprenkle; and Van Luyen.

Passed to Committee on Rules for second reading.

February 20, 1991

HB 1559 Prime Sponsor, Representative Ebersole: Requiring that faculty at the state's regional universities, state college, and community colleges be paid salaries at least equivalent to K-12 teachers. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; Basich; Dellwo; Fraser; Ludwig; Miller; Sheldon; Spanel; and Van Luven.

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

Voting nay: Representatives May, Assistant Ranking Minority Member; and Prince.

Referred to Committee on Appropriations.

February 18, 1991

HB 1614 Prime Sponsor, Representative H. Myers: Authorizing specialized child care and respite care for children of homeless parents. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1614 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Referred to Committee on Appropriations.

February 19, 1991

HB 1706 Prime Sponsor, Representative Anderson: Making technical corrections to provisions for the state militia. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; Grant; Moyer; O'Brien; and Sheldon.

Excused: Representatives R. Fisher and Grant.

Passed to Committee on Rules for second reading.

February 19, 1991

HB 1707 Prime Sponsor, Representative Anderson: Changing the Washington state guard to the Washington state defense force. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; Grant; Moyer; O'Brien; and Sheldon.

Excused: Representative R. Fisher.

Passed to Committee on Rules for second reading.

February 20, 1991

HB 1722 Prime Sponsor, Representative Spanel: Creating conditional teaching fellowships. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Basich; Dellwo; Fraser; Ludwig; Miller; Prince; Sheldon; Spanel; and Van Luven.

Referred to Committee on Appropriations.

February 20, 1991

HB 1723 Prime Sponsor, Representative Ogden: Creating the Washington fund for excellence in higher education program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendment: On page 3, line 5, after "education" insert ", including students with disabilities,"

Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Basich; Dellwo; Fraser; Ludwig; Miller; Prince; Sheldon; Spanel; and Van Luven.

Referred to Committee on Appropriations.

February 19, 1991

HB 1956 Prime Sponsor, Representative Rayburn: Changing provisions for plant protection. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: That Substitute House Bill No. 1956 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Minority Member; P.

Johnson, Assistant Ranking Minority Member; Chandler; Grant; R. Johnson; Lisk; McLean; Rasmussen; and Roland.

Referred to Committee on Revenue.

February 19, 1991

HB 1958 Prime Sponsor, Representative Rayburn: Changing requirements and penalties for livestock brands. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: That Substitute House Bill No. 1958 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Minority Member; P. Johnson, Assistant Ranking Minority Member; Chandler; Grant; R. Johnson; Lisk; McLean; Rasmussen; and Roland.

Passed to Committee on Rules for second reading.

February 19, 1991

HJR 4205 Prime Sponsor, Representative Winsley: Amending the Constitution to allow property devoted to low-income housing to be taxed based on its current use value. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Joint Resolution No. 4205 be substituted therefor, and the substitute resolution do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morton; Phillips; Rust; Silver; and Van Luven.

Excused: Representative Morris.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Dorn, the bills and resolution listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

#### MOTIONS

On motion of Mr. Dorn, House Bill No. 1051 was referred from Committee on Appropriations to Committee on Rules.

On motion of Mr. Dorn, House Bill No. 1104 was referred from Committee on Rules to Committee on Appropriations.

On motion of Mr. Dorn, House Bill No. 1410 was referred from Committee on Health Care to Committee on Human Services.

On motion of Mr. Dorn, House Bill No. 2055 was referred from Committee on Judiciary to Committee on Health Care.

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

#### MOTION

On motion of Mr. Dorn, the House adjourned until 10:00 a.m., Friday, February 22, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**FORTIETH DAY**

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**MORNING SESSION**

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House Chamber, Olympia, Friday, February 22, 1991

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Betzoff, Dorn, Haugen, Miller, Moyer and Phillips. On motion of Mr. Vance, Representatives Betzoff, Miller and Moyer were excused. On motion of Mr. Bray, Representatives Dorn, Haugen and Phillips were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kimberly Waldron and Jay Keith, Jr. Prayer was offered by Father Gary Zender, St. Michael's Catholic Church of Olympia.

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

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

**INTRODUCTIONS AND FIRST READING**

**HB 2087** by Representatives Dellwo, Paris, Broback, R. Johnson and Zellinsky

AN ACT Relating to allowable provisions in construction contracts; and amending RCW 4.24.115.

Referred to Committee on Financial Institutions & Insurance.

**HB 2088** by Representatives Braddock, Casada, Prentice and Brekke

AN ACT Relating to dentistry; amending RCW 18.120.020; reenacting and amending RCW 18.130.040; adding a new section to chapter 48.20 RCW; adding a new section to chapter 48.21 RCW; adding a new section to chapter 48.44 RCW; adding a new section to chapter 48.46 RCW; adding a new chapter to Title 18 RCW; prescribing penalties; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Health Care.

**HB 2089** by Representatives Anderson, Bowman, Pruitt, Grant, R. Fisher, Ferguson, R. Johnson and Franklin

AN ACT Relating to the date of the presidential preference primary; and amending RCW 29.19.020, 29.13.010, and 29.13.020.

Referred to Committee on State Government.

HB 2090 by Representatives Anderson, McLean, Pruitt and Bowman

AN ACT Relating to short terms of elective offices; and amending RCW 29.01.180.

Referred to Committee on State Government.

HB 2091 by Representatives Rust and Horn

AN ACT Relating to scrap metal recycling; adding a new chapter to Title 70 RCW; and making an appropriation.

Referred to Committees on Environmental Affairs/Revenue.

HB 2092 by Representatives Basich, P. Johnson, Dellwo, Edmondson, Ludwig, Anderson, Sheldon, Jones, Kremen, Day, Pruitt, Fuhrman, Wood, Rayburn and Prentice

AN ACT Relating to veterans; and amending RCW 28B.15.620.

Referred to Committees on Higher Education/Appropriations.

HB 2093 by Representatives Locke, Miller, Anderson, Hine, Ferguson, Brough and Valle

AN ACT Relating to distributing excise taxes on lodgings in counties that have, prior to June 26, 1975, pledged tax revenues or issued bonds for purposes of public stadium, convention, performing arts and/or visual arts center facilities; and amending RCW 67.28.180.

Referred to Committee on Revenue.

HB 2094 by Representatives Chandler, Ludwig, Riley, Sheldon, Mielke, Appelwick, D. Sommers, Van Luven, Morton, Ferguson, Horn, Vance, Wineberry, May, Fuhrman, Hochstatter and Roland

AN ACT Relating to the involvement of minors in drug operations; amending RCW 69.50.401; and prescribing penalties.

Referred to Committee on Judiciary.

HB 2095 by Representatives R. Johnson, McLean, Anderson, Jones, Kremen, Braddock, Valle, Wineberry, Franklin, Day, Pruitt, Rayburn,

Roland, Spanel and Prentice; by request of Department of Veterans Affairs

AN ACT Relating to counseling veterans and their dependents; adding new sections to chapter 43.60A RCW; creating a new section; making appropriations; and declaring an emergency.

Referred to Committees on State Government/Appropriations.

HB 2096 by Representatives Hochstatter, Mielke, Fuhrman and Nealey

AN ACT Relating to drug testing for recipients of aid to families with dependent children; adding new sections to chapter 74.12 RCW; and making an appropriation.

Referred to Committees on Human Services/Appropriations.

HB 2097 by Representatives Rasmussen, Dorn, Ferguson, Vance, Nealey and Roland

AN ACT Relating to revocation of driving privileges for drug or alcohol law violations; amending RCW 46.20.265, 66.44.365, 69.41.065, 69.50.420, 69.52.070, and 46.20.391; adding a new section to chapter 46.20 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 2098 by Representatives Hochstatter, Edmondson, Moyer, Chandler, Mielke and Silver

AN ACT Relating to membership in the public employees' retirement system; and reenacting and amending RCW 41.40.120.

Referred to Committee on Appropriations.

HB 2099 by Representatives Sprengle, G. Fisher, Rust, D. Sommers and Pruitt

AN ACT Relating to the collection of solid waste by counties; amending RCW 36.58.090, 36.58.045, and 81.77.020; reenacting and amending RCW 36.58.040; adding new sections to chapter 36.58 RCW; and repealing RCW 36.58A.010, 36.58A.020, 36.58A.030, and 36.58A.040.

Referred to Committee on Environmental Affairs.

HB 2100 by Representatives Braddock, Locke, Wineberry and Wang

AN ACT Relating to nursing homes for underserved ethnic minorities; and amending RCW 70.38.111.

Referred to Committee on Health Care.

HJR 4227 by Representatives Anderson, Miller, R. Fisher, Brough and Ferguson

Amending the Constitution to revise procedures for filling vacancies in the state legislature and county elective offices.

Referred to Committee on State Government.

#### MOTION

On motion of Mr. Ebersole, the bills and resolution listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

#### REPORTS OF STANDING COMMITTEES

February 20, 1991

HB 1003 Prime Sponsor, Representative O'Brien: Requiring pharmacists to provide information on prescription drugs. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1003 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

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

Passed to Committee on Rules for second reading.

February 20, 1991

HB 1008 Prime Sponsor, Representative O'Brien: Establishing requirements for labels for over-the-counter medications. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1008 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Paris; Prentice; and Sprenkle.

Voting nay: Representative Morris.

Passed to Committee on Rules for second reading.

February 20, 1991

HB 1059 Prime Sponsor, Representative Appelwick: Revising the list of personal property exempt from enforcement of judgments. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1059 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; and Vance.

Excused: Representative Wineberry.

Passed to Committee on Rules for second reading.

February 20, 1991

HB 1081 Prime Sponsor, Representative Morris: Implementing a bicycle safety program. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 1081 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Cantwell; Cooper; Day; G. Fisher; Heavey; R. Johnson; Jones; Kremen; Nelson; Orr; Prentice; Prince; and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Betzoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Brough; Forner; Horn; P. Johnson; Mitchell; Schmidt; Wilson; and Wood.

Voting nay: Representatives Betzoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Brough; Forner; P. Johnson; Mitchell; Schmidt; Wilson; and Wood.

Excused: Representatives Basich, Haugen and Horn.

Passed to Committee on Rules for second reading.

February 19, 1991

HB 1122 Prime Sponsor, Representative Heavey: Regulating labor relations consultants. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:  
On page 2, line 4, after "of" strike "the state,"

Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; and Prentice.

**MINORITY recommendation:** Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Vance; and Wilson.

Referred to Committee on Revenue.

February 20, 1991

HB 1152 Prime Sponsor, Representative Winsley: Excluding certain child support from food stamp need and eligibility determination. Reported by Committee on Human Services

**MAJORITY recommendation:** Do pass with the following amendments:

On page 1, after line 8, insert the following:

"NEW SECTION. Sec. 2. The sum of \$417,000, of which \$2,178,000 is from the general fund-state and \$1,761,000 is a reduction in the general fund-federal, is appropriated for the biennium ending June 30, 1993 to the department of social and health services for the purpose of section 1 of this act."

On page 1, line 1 of the title, after "food stamps;" strike the remainder of the title and insert "adding a new section to chapter 74.04 RCW; and making an appropriation."

Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Referred to Committee on Appropriations.

February 20, 1991

HB 1183 Prime Sponsor, Representative Ludwig: Changing provisions relating to negligent and inattentive driving. Reported by Committee on Judiciary

**MAJORITY recommendation:** That Substitute House Bill No. 1183 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Broback; Forner; Inslee; Locke; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

**MINORITY recommendation:** Do not pass. Signed by Representatives Belcher; Hargrove; and R. Meyers.

Voting nay: Representatives Belcher, Hargrove, R. Meyers and Riley.

Excused: Representative Wineberry.

Passed to Committee on Rules for second reading.

February 19, 1991

HB 1274 Prime Sponsor, Representative R. Fisher: Adjusting provisions relating to street utilities. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 1274 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betzoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Horn; P. Johnson; R. Johnson; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representatives Brough, Cantwell, Heavey, Jones, Kremen and Nelson.

Passed to Committee on Rules for second reading.

February 19, 1991

HB 1282 Prime Sponsor, Representative R. King: Establishing computation of payment for a reopened industrial insurance claim. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1282 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Excused: Representatives Lisk, Assistant Ranking Minority Member; and O'Brien.

Referred to Committee on Appropriations.

February 19, 1991

HB 1284 Prime Sponsor, Representative Prentice: Regulating workplace safety bonus programs. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1284 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Vance; and Wilson.

Passed to Committee on Rules for second reading.

February 20, 1991

HB 1293 Prime Sponsor, Representative Jacobsen: Establishing the local master's degree teacher training program. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1293 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Vance, Assistant Ranking Minority Member; Betrozoff; Broback; Dorn; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

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

Excused: Representatives Brumsickle and Holland.

Referred to Committee on Appropriations.

February 20, 1991

HB 1310 Prime Sponsor, Representative McLean: Establishing voter registration by mail. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant, Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Excused: Representative Chandler.

Passed to Committee on Rules for second reading.

February 20, 1991

HB 1312 Prime Sponsor, Representative Wang: Changing requirements for special campaign reports. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Excused: Representative Chandler.

Passed to Committee on Rules for second reading.

February 19, 1991

HB 1347 Prime Sponsor, Representative Cole: Allowing employees to use sick leave to care for children under one year of age. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; Prentice; and Vance.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; and Wilson.

Passed to Committee on Rules for second reading.

February 19, 1991

HB 1353 Prime Sponsor, Representative R. King: Revising provisions for industrial insurance coverage. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1353 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Vance; and Wilson.

Passed to Committee on Rules for second reading.

February 19, 1991

HB 1354 Prime Sponsor, Representative Franklin: Changing notice and withhold requirements when industrial insurance taxes are in arrears. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Vance; and Wilson.

Passed to Committee on Rules for second reading.

February 19, 1991

HB 1355 Prime Sponsor, Representative R. King: Increasing civil penalties for industrial safety and health violations. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Passed to Committee on Rules for second reading.

February 19, 1991

HB 1389 Prime Sponsor, Representative Fraser: Regulating aquatic plants. Reported by Committee on Environmental Affairs

MAJORITY recommendation: That Substitute House Bill No. 1389 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; Neher; Phillips; Pruitt; and Sprengle.

MINORITY recommendation: Do not pass. Signed by Representative D. Sommers.

Excused: Representatives Sprengle and Van Luven.

Referred to Committee on Revenue.

February 20, 1991

HB 1395 Prime Sponsor, Representative Ludwig: Maintaining the Washington state patrol crime laboratory locations. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Broback; Forner; Hargrove; Inslee; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher; Locke; and R. Meyers.

Referred to Committee on Appropriations.

February 20, 1991

HB 1452 Prime Sponsor, Representative R. Fisher: Creating the high-speed ground transportation steering committee. Reported by Committee on Transportation

**MAJORITY recommendation:** That Substitute House Bill No. 1452 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Brough; Cantwell; Cooper; Day; G. Fisher; Forner; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wood; and Zellinsky.

Excused: Representatives Basich, Haugen and Prentice.

Passed to Committee on Rules for second reading.

February 20, 1991

HB 1462 Prime Sponsor, Representative Nealey: Regulating dangerous and potentially dangerous dogs. Reported by Committee on Judiciary

**MAJORITY recommendation:** That Substitute House Bill No. 1462 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Inslee; Locke; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; and Vance.

**MINORITY recommendation:** Do not pass. Signed by Representatives Hargrove; R. Meyers; and Wineberry.

Passed to Committee on Rules for second reading.

February 20, 1991

HB 1467 Prime Sponsor, Representative R. Meyers: Increasing the number of district judges. Reported by Committee on Judiciary

**MAJORITY recommendation:** Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Passed to Committee on Rules for second reading.

February 21, 1991

HB 1494 Prime Sponsor, Representative Grant: Authorizing the utilities and transportation commission to appoint persons to do emergency adjudications. Reported by Committee on Energy & Utilities

**MAJORITY recommendation:** Do pass. Signed by Representatives Grant, Chair; H. Myers, Vice Chair; May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Bray; Casada; Cooper; R. Fisher; Jacobsen; and Rayburn.

Excused: Representative Miller.

Passed to Committee on Rules for second reading.

February 20, 1991

HB 1501 Prime Sponsor, Representative McLean: Authorizing mail balloting in certain primaries and special elections. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 1501 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Passed to Committee on Rules for second reading.

February 20, 1991

HB 1509 Prime Sponsor, Representative Anderson: Expanding eligibility for ongoing absentee voter status. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Passed to Committee on Rules for second reading.

February 20, 1991

HB 1534 Prime Sponsor, Representative H. Myers: Providing training for investigating and prosecuting sexual assault cases. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1534 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Referred to Committee on Appropriations.

February 20, 1991

HB 1563 Prime Sponsor, Representative Schmidt: Creating a facility land bank. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: That Substitute House Bill No. 1563 be substituted therefor, and the substitute bill do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schmidt, Ranking Minority Member; Neher, Assistant Ranking Minority Member; Beck; Braddock; Casada; Fraser; Jacobsen; Ogdan; Peery; Silver; and Wang.

Excused: Representatives Brough and Heavey.

Passed to Committee on Rules for second reading.

February 19, 1991

HB 1568 Prime Sponsor, Representative Haugen: Permitting public transportation benefit areas greater flexibility in areas served. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 1568 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Horn; P. Johnson; R. Johnson; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wood; and Zellinsky.

Excused: Representatives Brough, Heavey, Jones and Prince.

Passed to Committee on Rules for second reading.

February 20, 1991

HB 1571 Prime Sponsor, Representative Jones: Requiring a recount by hand of election returns that have a difference of less than one-fourth of one percent. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 1571 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; R. Fisher; Grant; O'Brien; and Sheldon.

MINORITY recommendation: Do not pass. Signed by Representatives McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; and Moyer.

Passed to Committee on Rules for second reading.

February 20, 1991

HB 1573 Prime Sponsor, Representative Winsley: Establishing the measure of damages for a motor vehicle. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1573 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member;

Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Passed to Committee on Rules for second reading.

February 20, 1991

HB 1634 Prime Sponsor, Representative Winsley: Adjusting fines for improper parking in a disabled space. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1634 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Passed to Committee on Rules for second reading.

February 21, 1991

HB 1702 Prime Sponsor, Representative Rasmussen: Modifying provisions regarding composition of the beef commission. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: That Substitute House Bill No. 1702 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Minority Member; P. Johnson, Assistant Ranking Minority Member; Chandler; Grant; R. Johnson; Lisk; McLean; Rasmussen; and Roland.

Passed to Committee on Rules for second reading.

February 21, 1991

HB 1776 Prime Sponsor, Representative Rasmussen: Establishing a license to practice specialized veterinary medicine. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: That Substitute House Bill No. 1776 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Minority Member; P. Johnson, Assistant Ranking Minority Member; Chandler; Grant; R. Johnson; Lisk; McLean; Rasmussen; and Roland.

Passed to Committee on Rules for second reading.

## MOTION

On motion of Mr. Ebersole, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker (Mr. O'Brien presiding) called the House to order.

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

## SECOND READING

## MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1255 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1255, by Representatives Appelwick, Padden, Inslee, Locke, Riley, Miller, Forner, Heavey, Paris, Wang, R. Meyers, Jacobsen, Phillips, Orr, G. Fisher and Belcher; by request of Human Rights Commission

Pertaining to discrimination.

The bill was read the second time. On motion of Mr. Appelwick, Substitute House Bill No. 1255 was substituted for House Bill No. 1255, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1255 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Appelwick and Padden spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1255, and the bill passed the House by the following vote: Yeas - 92, Nays - 0, Absent - 0, Excused - 6.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery,

Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Berozoff, Dorn, Haugen, Miller, Moyer, Phillips - 06.

Substitute House Bill No. 1255, having received the constitutional majority, was declared passed.

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

### REPORTS OF STANDING COMMITTEES

February 21, 1991

HB 1250 Prime Sponsor, Representative Wilson: Creating nonconsumptive wildlife area user permits. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: That Substitute House Bill No. 1250 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. King, Chair; Wilson, Ranking Minority Member; Cole; Haugen; Hochstatter; Orr; and Spanel.

MINORITY recommendation: Do not pass. Signed by Representatives Morris, Vice Chair; Fuhrman, Assistant Ranking Minority Member; Basich; and Padden.

February 21, 1991

HB 1511 Prime Sponsor, Representative Anderson: Restricting disclosure of public records containing addresses of victims of domestic violence. Reported by Committee on Appropriations

MAJORITY recommendation: That Substitute House Bill No. 1511 be substituted therefor, and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Appelwick; Belcher; Bowman; Brekke; Ebersole; Ferguson; Hine; Lisk; May; Nealey; Peery; Pruitt; Rust; H. Sommers; Valle; Vance; Wang; and Wineberry.

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

Excused: Representatives Braddock; Dorn; Fuhrman; Holland; and Sprenkle.

The Speaker (Mr. O'Brien presiding) referred House Bill No. 1250 to Committee on Revenue.

## MOTION

On motion of Mr. Ebersole, the rules were suspended and House Bill No. 1511 was advanced to second reading.

## SECOND READING

HOUSE BILL NO. 1511, by Representatives Anderson, Silver, Pruitt, Winsley, Leonard, Riley, Beck, H. Myers, R. King, Wynne, Van Luven, Ludwig, Orr, Brekke, Roland and Brough

Restricting disclosure of public records containing addresses of victims of domestic violence.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 30th Day, February 12, 1991.) Committee on Appropriations recommendation: Majority, do pass substitute.

On motion of Mr. Locke, Substitute House Bill No. 1511 was substituted for House Bill No. 1511, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1511 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Anderson and McLean spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1511, and the bill passed the House by the following vote: Yeas - 92, Nays - 0, Absent - 0, Excused - 6.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Heavey, Hine, Hochstatter, Holland, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Betrozoff, Dorn, Haugen, Miller, Moyer, Phillips - 06.

Substitute House Bill No. 1511, having received the constitutional majority, was declared passed.

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

### SECOND READING

HOUSE BILL NO. 1001, by Representatives Locke, Ballard, Appelwick, Peery, Ludwig, Belcher, Prince, H. Myers, Tate, Vance, D. Sommers, Morton, Wineberry, Mitchell, Beck, Forner, McLean, Brough, Edmondson, Chandler, P. Johnson, Moyer, Hochstatter, Lisk, Wood, Paris, Casada, Nealey, Brekke, Silver, Wynne, Fraser, May and Anderson

Requiring the top two vote getters in nonpartisan elections to appear on the general election ballot.

The bill was read the second time. On motion of Mr. Anderson, Substitute House Bill No. 1001 was substituted for House Bill No. 1001, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1001 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Padden and R. Meyers spoke against passage of the bill, and Representatives Locke, Ferguson, R. Fisher, Wilson and McLean spoke in favor of it.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1001, and the bill passed the House by the following vote: Yeas - 84, Nays - 8, Absent - 0, Excused - 6.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bowman, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cooper, Day, Dellwo, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Grant, Hargrove, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Mielke, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Wood, Wynne, Zellinsky - 84.

Voting nay: Representatives Braddock, Cole, Fuhrman, Heavey, Meyers, R., Padden, Winsley, and Mr. Speaker - 08.

Excused: Representatives Betrozoff, Dorn, Haugen, Miller, Moyer, Phillips - 06.

Substitute House Bill No. 1001, having received the constitutional majority, was declared passed.

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

### RESOLUTION

HOUSE RESOLUTION NO. 91-4629, by Representatives Rasmussen, Kremen, Rayburn and Spanel

WHEREAS, The Future Farmers of America with agricultural education is a strong force for America's agriculture; and

WHEREAS, The Future Farmers of America and agricultural education are changing to provide training for the new high-tech careers of agriculture; and

WHEREAS, Members of the Future Farmers of America are playing an outstanding role in assuring the future progress and prosperity of our nation; and

WHEREAS, The Future Farmers of America motto - "Learning to do, doing to learn; earning to live, living to serve" - gives a direction of purpose to these students who are Providing Leadership for a Growing Planet; and

WHEREAS, The Future Farmers of America performs the valuable service of developing leadership, encouraging cooperation, promoting good citizenship, teaching modern information, and inspiring patriotism among its members;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognizes the week of February 16, 1991 through February 23, 1991, as Future Farmers of America Week.

Ms. Rasmussen moved adoption of the resolution. Representatives Rasmussen, Riley, McLean, Rayburn, Nealey and Kremen spoke in favor of the resolution.

House Resolution No. 91-4629 was adopted.

### SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced the officers of the State Future Farmers of America, who were seated on the rostrum, including Tim Norris, State President; Nicki Wilson, State Vice President; Kim Thorne, State Secretary; Josh Dykes, State Treasurer; Kendra Felt, Reporter; and Kristi Rightmire, Sentinel. President Norris briefly addressed the members of the House of Representatives.

### MOTION

On motion of Mr. Ebersole, the House recessed until 1:00 p.m.

## AFTERNOON SESSION

The Speaker (Mr. O'Brien presiding) called the House to order at 1:00 p.m.

## JOINT SESSION

The Sergeant at Arms announced the arrival of the Senate at the bar of the House.

The Speaker (Mr. O'Brien presiding) instructed the Sergeants at Arms of the House and Senate to escort President of the Senate Joel Pritchard, President Pro Tempore of the Senate Ellen Craswell, Vice President Pro Tempore Alan Bluechel, Majority Leader Jeannette Hayner and Democratic Leader Marc Gaspard to seats on the rostrum.

The Speaker (Mr. O'Brien presiding) invited the Senators to seats within the House Chamber.

The Speaker (Mr. O'Brien presiding) instructed the Sergeants at Arms of the Senate and House to escort the memorialists to seats within the House Chamber.

The Speaker (Mr. O'Brien presiding) presented the gavel to President Pritchard.

The flag was escorted to the rostrum by the All Service Color Guard.

The Secretary of the Senate call the roll of the Senate and all members were present except Senators Cantu, Johnson and L. Smith.

The Clerk of the House called the roll of the House and all members were present except Representatives Betrozoff, Dorn, Haugen, Miller, Moyer and Phillips, who were excused.

The President of the Senate presented the gavel to Speaker Pro Tempore O'Brien.

## MEMORIAL PROGRAM

Presiding: President of the Senate Joel Pritchard

Chair: Speaker Pro Tempore John L. O'Brien

## INVOCATION

by

The Reverend Richard W. Hart, Master Divinity

THE MADRIGAL SINGERS  
Olympia High School  
Karla Timmerman, Director

*Aupres de ma Blonde*  
by Robert Shaw

*My Love is Like a Red Red Rose* by David Dickau

*America the Beautiful*  
Diane Velasco

*Let There Be Peace*  
Herb Jones

MEMORIAL TRIBUTE  
by  
Speaker Pro Tempore John L. O'Brien  
Representative Shirley Winsley

Speaker O'Brien: We are assembled today to pay tribute to the lives and services of distinguished former members of the Senate and House of Representatives of the State of Washington who have passed from among us.

On behalf of the people of our state, the Fifty-Second Legislative Session of the State of Washington conveys its respect to these deceased legislators who once sat in the hallowed Chambers of the House and Senate, like we are doing today, answered roll calls on sometimes critical and perplexing bills, attended committee meetings, and above all else served to the best of their abilities in order to make our state a better and more enjoyable place to live. While they have passed to the great beyond, their achievements, records and valued services have been recorded in the Journals of the Senate and House and are now and forever more a permanent part of the history of the State of Washington.

We express our sympathies to the bereaved families and their friends and also share with them on this memorable occasion the fond and happy memories of these legislators, who served beyond their call of duty and responsibilities and truly loved the State of Washington. They have left a legacy of dedicated services that will remain forever etched in our hearts, our memories and our legislative records.

#### CANDLE SERVICE

#### IN MEMORIUM

In tribute to the memories of our distinguished former members of the Senate and House of Representatives who have passed from among us, the Fifty-Second Legislative Session of the State of Washington conveys its respects on

behalf of the people of our state. May the memory of their dedicated service remain in our hearts.

In Memory of:

Alfred O. Adams  
 Fred C. Ashley  
 Chester Biesen  
 Max E. Benitz  
 Glyn Chandler  
 Pat Cochrane  
 D. James Constanti  
 Arlie U. DeJarnatt  
 Wesley R. Eldridge  
 Stanton Ganders  
 Cecil A. Cholson  
 Sam C. Guess  
 Joe Haussler  
 Al Henry  
 Dan Jolly  
 Helmut L. Juelling  
 George W. Krupka  
 Mary LeCocq  
 Paul N. Luvera  
 Warren G. Magnuson  
 William J. S. "Bill" May  
 Tom Montgomery  
 Gladys Morgen  
 Roy Mundy  
 C. R. "Dick" Nickell  
 Edward F. Riley  
 J. H. Robertson  
 Gordon T. Sandison  
 Edward P. "Eddie" Smith

Tribute by:

Representative John A. Moyer  
 Representative Todd Mielke  
 Senator Lois Stratton  
 Senator Irv Newhouse  
 Representative Gary Chandler  
 Representative Jennifer M. Belcher  
 Representative Barbara Lisk  
 Senator Sid Snyder  
 Representative Harold Hochstatter  
 Senator Al Bauer  
 Senator Ray Moore  
 Representative Duane Sommers  
 Representative Richard A. King  
 Senator Dean Sutherland  
 Representative Eugene Prince  
 Representative Art Broback  
 Senator A. L. "Slim" Rasmussen  
 Representative Pete Kremen  
 Senator Patrick R. McMullen  
 Representative Joanne Brekke  
 Representative Dennis a. Dellwo  
 Representative Marilyn Rasmussen  
 Representative Jean Silver  
 Senator Frank "Tub" Hansen  
 Representative Karen Schmidt  
 Representative Jesse Wineberry  
 Representative Ruth Fisher  
 Senator Paul Conner  
 Representative Bob Basich

FLOWER TRIBUTE

by

Members of the Senate and House of Representatives

*It Is Well With My Soul*

Kathy Ward

*Amazing Grace* by John Newton

Ralph Munro, Secretary of State

*How Great Thou Art* by Stewart K. Hine

Father Joseph Maguire, S.J.

Benediction

Father Joseph Maguire, S.J.

Echo Taps

9th Infantry Division (M) Band  
 Fife SSG. Paul Dorwin

Drummer SFC. Barry Shaw  
 Bugler SGT. James Hunt  
 Bugler SGT. Jeffery Haag

All Service Color Guard

Army SGT. Lamar Williams  
 Army SPC. Douglas Uphoff  
 Army PFC. Eric Jirouch  
 Army SSG. Brian Roberson  
 Marine SGT. Clayton Barker  
 Marine CPL. Patrick Petracca  
 Navy EN2. Randall Miller  
 Air Force AIC. Michael Van Bavel  
 Coast Guard SN. Michael Eastman

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Speaker Pro Tempore O'Brien presented the gavel to the President of the Senate.

President Pritchard: Thank you, Speaker Pro Tempore O'Brien, Representative Winsley, the other members of our Memorial Committee and all who have taken part in this ceremony. The President is sure that the loved ones of our departed gained some comfort from this very sincere ceremony. Let me just say, as one who served with almost all of the members who have been honored here, that they enriched our state. Our state is a better place because they were here. But it also enriched their lives. I think you can take some comfort in the fact that to serve here in Olympia is an enriching and wonderful experience. You have friendships that you make in working with others. I find it to be one of the joyous things in life--the involvement of serving your state.

The President of the Senate announced the conclusion of the Memorial Service.

#### MOTION

On motion of Mr. Ebersole, the Joint Session was dissolved.

The President of the Senate returned the gavel to the Speaker Pro Tempore of the House of Representatives.

The colors were retired by the All Service Color Guard.

The Speaker (Mr. O'Brien presiding) instructed the Sergeants at Arms of the House and Senate to escort President of the Senate Joel Pritchard, President Pro Tempore of the Senate Ellen Craswell, Vice President Pro Tempore Alan Bluechel, Majority Leader Jeannette Hayner, Democratic Leader Marc Gaspard and members of the Washington State Senate from the House Chamber.

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

MOTION

On motion of Ms. Hine, the House adjourned until 10:00 a.m., Monday, February 25, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**FORTY-THIRD DAY**

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**MORNING SESSION**

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House Chamber, Olympia, Monday, February 25, 1991

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Anderson, Appelwick, Brekke, Locke, Morris, Nelson, Phillips, H. Sommers, Valley, Wilson and Mr. Speaker. On motion of Ms. Roland, Representatives Anderson, Appelwick, Locke, Phillips, Valle and Mr. Speaker were excused. On motion of Ms. Forner, Representative Wilson was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Trent Anderson and Cydni Lattimore. Prayer was offered by The Reverend David McMartin, Minister of the Tumwater Evangelical Free Church.

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

**MESSAGE FROM THE SENATE**

February 22, 1991

Mr. Speaker:

The Senate has passed:

- SENATE BILL NO. 5015,
- SUBSTITUTE SENATE BILL NO. 5045,
- SENATE BILL NO. 5049,
- SENATE BILL NO. 5053,
- SENATE BILL NO. 5067,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5225,
- SENATE JOINT MEMORIAL NO. 8002,
- SENATE JOINT RESOLUTION NO. 8203,

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

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

## INTRODUCTIONS AND FIRST READING

**HB 2101** by Representatives Rasmussen, Miller and Roland

AN ACT Relating to public safety-related organizations soliciting charitable contributions; amending RCW 19.09.020, 19.09.100, and 19.09.275; and prescribing penalties.

Referred to Committee on Judiciary.

**HB 2102** by Representatives Rayburn, Edmondson, Chandler and Lisk

AN ACT Relating to the Stampede Pass rail line; adding new sections to chapter 47.76 RCW; and declaring an emergency.

Referred to Committee on Transportation.

**HB 2103** by Representatives Roland, Belcher, Rasmussen, Wang, Leonard and Anderson

AN ACT Relating to the scenic river system; amending RCW 79.72.080; and making an appropriation.

Referred to Committee on Natural Resources & Parks.

**HB 2104** by Representatives Rayburn, McLean, Kremen, Grant, R. Johnson, Edmondson, Miller, Fuhrman, Chandler, D. Sommers, Padden, Morton, Ballard, Neher and Lisk

AN ACT Relating to agricultural activities; amending RCW 19.85.020 and 19.85.060; reenacting and amending RCW 19.85.030 and 19.85.040; and creating a new section.

Referred to Committee on Agriculture & Rural Development.

**HB 2105** by Representatives Rasmussen, Kremen, R. Johnson, Roland and Spanel

AN ACT Relating to dairy products; adding new sections to chapter 15.32 RCW; and prescribing penalties.

Referred to Committee on Agriculture & Rural Development.

**HB 2106** by Representatives Anderson, Moyer, O'Brien, Bowman, Pruitt, Grant, Padden, Chandler, Nelson, Prentice, Belcher, McLean, Jones, Ferguson, Sheldon, Vance, Holland, Kremen, Braddock, Wood, Zellinsky, Orr, Van Luven, Heavey, Wineberry, Beck, Winsley, Day, Ogden, Lisk, Leonard, Dellwo, Rayburn, Wang, Roland, Former and Brekke

AN ACT Relating to the donation by the department of general administration of personal property to shelters that serve homeless persons; amending RCW 43.19.1919; adding a new section to chapter 43.19 RCW; and creating a new section.

Referred to Committee on State Government.

HB 2107 by Representative Appelwick

AN ACT Relating to minimum bonding requirements for for hire vehicle operators; and amending RCW 46.72.040.

Referred to Committee on Transportation.

HB 2108 by Representatives Ferguson and Locke

AN ACT Relating to limited waiver of the one hundred six percent limitation; amending RCW 84.55.050; and creating a new section.

Referred to Committee on Revenue.

HJM 4017 by Representatives Wynne, Ebersole, Ballard, R. Johnson, Betrozoff, Fraser, Fuhrman, Wang, Belcher, Ferguson, May, Holland, Hargrove, Rasmussen, Zellinsky, R. King, Miller, Brough, Mitchell, Forner and Spanel

Requesting a presidential disaster declaration.

Referred to Committee on Local Government.

SB 5015 by Senators Metcalf, Oke and Thorsness

Providing for landowner liability protection for volunteer projects.

Referred to Committee on Natural Resources & Parks.

SSB 5045 by Committee on Energy & Utilities (originally sponsored by Senators Madsen, Barr and Conner)

Providing for investigation of consumer complaints regarding drinking water quality.

Referred to Committee on Energy & Utilities.

SB 5049 by Senator Madsen

Simplifying disposal of abandoned junk vehicles.

Referred to Committee on Transportation.

SB 5053 by Senators Nelson, Rasmussen and Roach

Allowing local ordinance notice for revoking juvenile driving privileges.

Referred to Committee on Judiciary.

SB 5067 by Senators Nelson, Talmadge, Oke, Rasmussen, Bailey, Craswell, Roach, Thorsness, McCaslin, Johnson, Anderson and Conner

Changing the alcohol standards for intoxication.

Referred to Committee on Judiciary.

SSB 5225 by Committee on Environment & Natural Resources (originally sponsored by Senators Oke and Metcalf)

Providing for environmental interpretation in state parks.

Referred to Committee on Natural Resources & Parks.

SJM 8002 by Senators Metcalf, Conner and Roach

Requesting that the coast guard prohibit dumping of ballast water in United States waters.

Referred to Committee on Fisheries & Wildlife.

SJR 8203 by Senators McCaslin and Nelson

Amending the Constitution to provide an additional method for a county to frame a "home rule" charter.

Referred to Committee on Local Government.

#### MOTION

On motion of Mr. Ebersole, the bills, memorials and resolution listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

#### REPORTS OF STANDING COMMITTEES

February 21, 1991

HB 1022 Prime Sponsor, Representative Cooper: Directing the development of a state energy strategy and authorizing the implementation of

conservation savings and sales by state agencies. Reported by Committee on Energy & Utilities

MAJORITY recommendation: That Substitute House Bill No. 1022 be substituted therefor, and the substitute bill do pass. Signed by Representatives Grant, Chair; H. Myers, Vice Chair; Bray; Cooper; R. Fisher; and Rayburn.

MINORITY recommendation: Do not pass. Signed by Representatives May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; and Casada.

Voting nay: Representatives May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Casada and Jacobsen.

Excused: Representative Miller.

Referred to Committee on Capital Facilities & Financing.

February 21, 1991

HB 1023 Prime Sponsor, Representative Peery: Enhancing student performance. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1023 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betzoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Roland; H. Sommers; and Valle.

Excused: Representative Phillips.

Referred to Committee on Appropriations.

February 21, 1991

HB 1052 Prime Sponsor, Representative Leonard: Revising provisions for public assistance. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1052 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Referred to Committee on Appropriations.

February 20, 1991

HB 1069 Prime Sponsor, Representative Braddock: Prohibiting insurance policies from limiting where prescription medicines may be purchased. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1069 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Franklin; Morris; Paris; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Edmondson and Sprenkle.

Passed to Committee on Rules for second reading.

February 21, 1991

HB 1095 Prime Sponsor, Representative Dellwo: Adding a new Article regarding funds transfers to the Uniform Commercial Code. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Broback, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Anderson; Dorn; Inslee; R. Johnson; R. Meyers; Paris; Schmidt; Scott; and Winsley.

Passed to Committee on Rules for second reading.

February 21, 1991

HB 1226 Prime Sponsor, Representative Prentice: Making provisions for nursing home residents' discharge for temporary hospitalization. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1226 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

Excused: Representatives Day, Vice Chair; and Sprenkle.

Referred to Committee on Appropriations.

February 19, 1991

HB 1456 Prime Sponsor, Representative Haugen: Defining the legislature's intent to license and regulate hulk haulers and scrap processors. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 1456 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Former; Haugen; Horn; P. Johnson; R. Johnson; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representatives Brough; Cantwell; Heavey; Jones; Kremen; and Nelson.

Passed to Committee on Rules for second reading.

February 22, 1991

HB 1489 Prime Sponsor, Representative H. Myers: Adding limited new services to the current common carrier exceptions to the privacy act. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Grant, Chair; H. Myers, Vice Chair; May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Casada; Cooper; and Rayburn.

MINORITY recommendation: Do not pass. Signed by Representatives Bray; R. Fisher; and Jacobsen.

Excused: Representative Miller.

Passed to Committee on Rules for second reading.

February 22, 1991

HB 1627 Prime Sponsor, Representative Fuhrman: Including the provision of chiropractic services under industrial insurance. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Passed to Committee on Rules for second reading.

February 21, 1991

HB 1777 Prime Sponsor, Representative H. Sommers: Expediting new prison construction. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1777 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate,

Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Referred to Committee on Capital Facilities & Financing.

February 21, 1991

HB 1913 Prime Sponsor, Representative Hargrove: Revising collective bargaining provisions for certain employees of the division of prisons of the department of corrections. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1913 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Hargrove; Hochstatter; R. King; and H. Myers.

MINORITY recommendation: Without recommendation. Signed by Representatives Beck and Brekke.

Referred to Committee on Commerce & Labor.

February 22, 1991

HJM 4007 Prime Sponsor, Representative Hine: Concerning the study of electric and magnetic fields. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Grant, Chair; H. Myers, Vice Chair; May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Bray; Casada; Cooper; R. Fisher; Jacobsen; and Rayburn.

Excused: Representative Miller.

Passed to Committee on Rules for second reading.

#### MOTIONS

On motion of Mr. Ebersole, the bills and memorial listed on today's committee reports under the fifth order of business were referred to the committees so designated with the exception of House Bill No. 1023.

On motion of Mr. Ebersole, the rules were suspended and House Bill No. 1023 was placed on the second reading calendar.

Representatives Nelson, Valle and Wilson appeared at the bar of the House.

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

## SECOND READING

## MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1053 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1053, by Representatives Leonard, Winsley, Riley and Basich; by request of Dept. of Social and Health Services

Concerning foster family home licenses.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Leonard and Winsley spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1053, and the bill passed the House by the following vote: Yeas - 90, Nays - 0, Absent - 3, Excused - 5.

Voting yea: Representatives Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky - 90.

Absent: Representatives Brekke, Morris, Sommers, H. - 03.

Excused: Representatives Anderson, Appelwick, Locke, Phillips, and Mr. Speaker - 05.

House Bill No. 1053, having received the constitutional majority, was declared passed.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

Representatives Anderson, Appelwick, Brekke, Locke and H. Sommers appeared at the bar of the House.

## MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1039 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1039, by Representatives Ebersole, Forner, Dorn, R. Meyers, Basich, Wineberry, Zellinsky, H. Myers, Peery, Wang, Sprenkle, Rayburn, Ludwig, Haugen, Rust, Pruitt, Jacobsen, Valle, Morris and Rasmussen; by request of Governor Gardner

Creating a work force training and education coordinating board, and combining community and vocational-technical schools under one agency.

The bill was read the second time. On motion of Mr. Jacobsen, Substitute House Bill No. 1039 was substituted for House Bill No. 1039, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1039 was read the second time.

Ms. H. Sommers moved adoption of the following amendments by Representative H. Sommers, Ebersole, Silver, Forner, Jacobsen and Wood:

On page 15, line 8, strike "legislative budget committee" and insert "work force training and education coordinating board"

On page 16, line 7, strike "legislative budget committee" and insert "work force training and education coordinating board"

On page 17, line 18, strike "legislative budget committee" and insert "work force training and education coordinating board"

Representatives H. Sommers, Jacobsen and Silver spoke in favor of adoption of the amendments, and they were adopted.

Ms. Miller moved adoption of the following amendments by Representatives Miller, Van Luven, Forner, Casada, Horn, Kremen, Betrozoff, Ferguson, Bowman, Leonard, Holland, Paris, Broback, Cantwell, Prentice, Vance, Braddock, Tate and Winsley:

Beginning on page 17, after line 20, strike all material through line 25 on page 24  
Renumber the sections consecutively and correct internal references accordingly.

Beginning on page 25, after line 8, strike all material through line 7 on page 58

Renumber the sections consecutively and correct internal references accordingly.

On page 58, line 13, after "community" strike "and technical"

Beginning on page 58, after line 18, strike all material through line 7 on page 65  
Renumber the sections consecutively and correct internal references accordingly.

On page 65, beginning on line 11, after "community" strike "or technical"

On page 65, line 13, after "such" strike "~~((community))~~" and insert "community"

On page 65, line 15, strike "~~((community))~~" and insert "community"

On page 66, line 26, after "community" strike "and technical colleges ~~((education))~~" and insert "college education"

Beginning on page 70, after line 19, strike all material through line 15 on page 72  
Renumber the sections consecutively and correct internal references accordingly.

On page 72, line 17, after "RCW," strike "technical colleges and"

On page 72, line 18, after "per" strike "their" and insert "the"

On page 72, line 22, after "community" strike "and technical"

Beginning on page 72, after line 23, strike all material through line 2 on page 73  
Renumber the sections consecutively and correct internal references accordingly.

On page 73, line 3, after "Sec. 88." strike "All" and insert "Except for functions that pertain solely to vocational-technical institutes, all"

On page 73, line 14, after "Sec. 89." strike "All" and insert "Except for functions that pertain solely to vocational-technical institutes, all"

Beginning on page 80, after line 24, strike all material through line 9 on page 95

Renumber the sections consecutively and correct internal references accordingly.

Representatives Miller, Van Luven, Broback, Holland and Ferguson spoke in favor of adoption of the amendments, and Representatives Jacobsen, Dorn and Basich spoke against them.

Mr. Ferguson demanded an electric roll call vote, and the demand was sustained.

Mr. Kremen spoke in favor of the amendments, and Representatives May and Ebersole opposed them.

#### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representative Miller and others to Substitute House Bill No. 1039, and the amendments were not adopted by the following vote: Yeas - 31, Nays - 65, Absent - 0, Excused - 2.

Voting yea: Representatives Ballard, Betrozoff, Bowman, Braddock, Broback, Brumsickle, Cantwell, Casada, Edmondson, Ferguson, Forner, Hochstatter, Holland, Horn, Johnson R., Kremen, Leonard, Lisk, Mielke, Miller, Mitchell, Paris, Prentice, Schmidt, Silver, Tate, Vance, Van Luven, Wilson, Winsley, Wynne - 31.

Voting nay: Representatives Anderson, Appelwick, Basich, Beck, Belcher, Bray, Brekke, Brough, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson P., Jones, King, R., Locke, Ludwig, May, McLean, Meyers, R., Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Peery, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, D., Sommers, H., Spanel, Sprenkle, Valle, Wang, Wineberry, Wood, Zellinsky - 65.

Excused: Representatives Phillips, and Mr. Speaker - 2.

The Speaker (Mr. O'Brien presiding) called on Representative Wang to preside.

Mr. Jacobsen moved adoption of the following amendment:

On page 18, line 23, after "Provide" strike "for" and insert "or coordinate"

Mr. Jacobsen spoke in favor of adoption of the amendment, and it was adopted.

Ms. Leonard moved adoption of the following amendment by Representatives Leonard, Jacobsen, Prentice, Holland and Forner:

On page 20, line 19, after "faculty," insert "curriculum integrating vocational and basic skills education,"

Representatives Leonard and Jacobsen spoke in favor of adoption of the amendment, and it was adopted.

Mr. Jacobsen moved adoption of the following amendments:

On page 25, line 18, after "board," insert "At least one member of the board shall be from business and at least one member of the board shall be from labor."

On page 34, line 27, after "trustees," insert "The boards of trustees for districts containing technical colleges shall include at least one member from business and one member from labor."

Mr. Jacobsen spoke in favor of adoption of the amendments, and they were adopted.

Ms. Leonard moved adoption of the following amendment by Representatives Leonard, Jacobsen, Prentice, Holland and Forner:

On page 88, line 23, after "education," insert "Grounds that have been used primarily as a playground for children shall continue to be made available for such use."

Representatives Leonard and Jacobsen spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ebersole, Wood and Wineberry spoke in favor of passage of the bill, and Representatives Betrozoff and Miller spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1039, and the bill passed the House by the following vote: Yeas - 77, Nays - 19, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Basich, Beck, Belcher, Bowman, Bray, Brekke, Brough, Brumsickle, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Fisher, G., Fisher, R., Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Inslee, Jacobsen, Johnson P., Jones, King, R., Lisk, Locke, Ludwig, May, Meyers, R., Mielke, Miller, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Valle, Vance, Wang, Wilson, Wineberry, Wood, Wynne, Zellinsky - 77.

Voting nay: Representatives Ballard, Betrozoff, Braddock, Broback, Cantwell, Casada, Ferguson, Forner, Horn, Johnson R., Kremen, Leonard, McLean, Mitchell, Prentice, Prince, Tate, Van Luven, Winsley - 19.

Excused: Representatives Phillips, and Mr. Speaker - 02.

Engrossed Substitute House Bill No. 1039, having received the constitutional majority, was declared passed.

#### STATEMENTS FOR THE JOURNAL

I intended to vote "yes" on final passage of Engrossed Substitute House Bill No. 1039.

ALEX McLEAN, 12th District.

I wanted to vote "No" on final passage of Engrossed Substitute House Bill No. 1039.

LOUISE MILLER, 45th District.

I wished to vote "No" on final passage of Engrossed Substitute House Bill No. 1039.

MARSHALL PARIS, 44th District.

I am a supporter of Engrossed Substitute House Bill No. 1039 and should be a "yes" vote.

EUGENE A. PRINCE, 9th District.

#### MOTION

Mr. Ebersole moved that the House defer consideration of the remaining bills on the second reading calendar. The motion was carried.

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

#### RESOLUTION

HOUSE RESOLUTION NO. 91-4630, by Representative Basich

WHEREAS, Dance is the oldest of the arts, reflecting one of the most personal and effective means of communication; and

WHEREAS, Almost all important occasions in the life of modern people are celebrated by dancing; and

WHEREAS, Everyone, young and old, has enjoyed ballroom, ballet, jazz, rhumba, cha cha, foxtrot, hustle, country western, tango, waltz, ethnic, tap, shag, limbo, salsa, charleston, clogging, swing, contra, funky chicken, disco, break, dirty dancing, and jitterbug, and will continue to enjoy these and other dances forever; and

WHEREAS, Dancing is both an art form, and a form of recreation providing fun, exercise, relaxation, and companionship; and

WHEREAS, The week of February 24 through March 1 has been proclaimed by Governor Gardner as Washington Dance Week, and an

appropriate time to recognize the contributions of dancing to the people of Washington; and

WHEREAS, National Ballroom Dance Champions Elizabeth and Stephan Cullip, and Jay and Lynn Offutt, vibrant Latin dancers and instructors, will perform in the Rotunda of our Legislative Building today, February 26th, at noon, one-half hour of the best ballroom and Latin dancing you'll ever see, and welcome everyone to come see, and join in and dance at 12:45 p.m.;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor the contributions dancing has brought to the people of Washington, and urge everyone to go out and dance their socks off.

Mr. Basich moved adoption of the resolution and spoke in favor of it.

House Resolution No. 91-4630 was adopted.

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

#### MOTION

On motion of Mr. Dorn, the House adjourned until 12:00 Noon, Tuesday, February 26, 1991.

ALAN THOMPSON, Chief Clerk

JOSEPH E. KING, Speaker

**FORTY-FOURTH DAY**

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NOON SESSION

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House Chamber, Olympia, Tuesday, February 26, 1991

The House was called to order at 12:00 Noon by the Speaker (Mr. O'Brien presiding).

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

MESSAGE FROM THE SENATE

February 25, 1991

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5069,  
SENATE BILL NO. 5077,  
SENATE BILL NO. 5107,  
SENATE JOINT MEMORIAL NO. 8015,

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

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

INTRODUCTIONS AND FIRST READING

HB 2109 by Representatives Locke and Nelson

AN ACT Relating to water use efficiency; and amending 19.27.170.

Referred to Committee on Housing.

HB 2110 by Representative Braddock

AN ACT Relating to ad valorem property taxes imposed on commercial watercraft; amending RCW 84.40.065; adding a new section to chapter 84.56 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Revenue.

HB 2111 by Representatives Locke, McLean, Anderson, H. Sommers and Winsley

AN ACT Relating to school district boards of directors; and amending RCW 42.30.110.

Referred to Committee on State Government.

HB 2112 by Representatives Wineberry, Locke, H. Sommers and Winsley

AN ACT Relating to school district governance and management problems; adding new sections to chapter 28A.300 RCW; and adding a new section to chapter 28A.305 RCW.

Referred to Committee on Education.

HB 2113 by Representatives Locke and H. Sommers

AN ACT Relating to election of school board directors in first class school districts having within their boundaries a city with a population of four hundred thousand people or more in class AA counties; amending RCW 28A.315.450, 28A.315.570, 28A.315.630, 28A.315.670, 28A.315.680; reenacting and amending RCW 28A.315.110 and 28A.315.670; repealing 1990 c 59 s 72; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Education.

HB 2114 by Representatives Prince, Grant, Lisk, Nealey, Fuhrman, Cole, Vance, Rayburn, Morton, Chandler, Neher, Hochstatter, Rasmussen, Moyer, McLean, Bowman, Betzoff, Casada, D. Sommers, P. Johnson and Silver

AN ACT Relating to underground storage tanks for petroleum products; amending RCW 70.148.020 and 82.23A.020; adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.32 RCW; adding new sections to chapter 70.148 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

HB 2115 by Representatives Nelson, Wineberry and Holland

AN ACT Relating to assistance to first-time homebuyers; adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.32 RCW; and providing a contingent effective date.

Referred to Committee on Housing.

HB 2116 by Representatives Scott, Riley, Tate, Wineberry, R. Meyers, Padden and Mielke

AN ACT Relating to assignment of judges in juvenile dependency proceedings; and adding a new section to chapter 13.34 RCW.

Referred to Committee on Judiciary.

HB 2117 by Representatives Anderson, Sheldon, Winsley, Jones, Rasmussen and Edmondson

AN ACT Relating to veterans; and amending RCW 73.08.070.

Referred to Committee on Local Government.

HB 2118 by Representatives Jacobsen, Betzoff, Anderson, Wineberry, Heavey, Belcher, Ludwig, Morris, Basich, Kremen, Winsley, Spanel, Sheldon, Ogden, Wood, Franklin, Brekke, Van Luven and Rasmussen

AN ACT Relating to the use of public facilities; and amending RCW 42.17.130 and 42.17.190.

Referred to Committee on State Government.

HB 2119 by Representatives Appelwick and Vance

AN ACT Relating to the sentencing of offenders convicted of sexually violent offenses; amending RCW 9.94A.030, 9.94A.120, 9.94A.390, 9A.20.021, 9A.32.050, 9A.36.011, 9A.40.020, 9A.40.030, 9A.40.040, 9A.52.020, 9A.52.025, 9A.44.045, 9A.44.050, 9A.44.073, 9A.44.076, 9A.44.083, 9A.44.086, 9A.44.100, and 9A.64.020; reenacting and amending RCW 9A.36.021 and 9A.44.040; adding a new section to chapter 71.09 RCW; prescribing penalties; and providing a contingent effective date.

Referred to Committee on Judiciary.

HB 2120 by Representative Sprenkle

AN ACT Relating to unprofessional conduct; and amending RCW 18.130.180.

Referred to Committee on Health Care.

HB 2121 by Representatives Wang, Schmidt, Vance, Winsley, Moyer, Bowman, Betzoff, Casada, D. Sommers, P. Johnson, Tate and Silver

AN ACT Relating to gambling; amending RCW 9.46.010, 9.46.0311, 9.46.0351, and 67.70.040; repealing RCW 9.46.0233; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 2122 by Representatives Bowman and Betzoff

AN ACT Relating to disclosures on the conveyances of real property; and adding new sections to chapter 64.04 RCW.

Referred to Committee on Judiciary.

HJM 4018 by Representatives Jones, Ogden, Cooper, R. Fisher, Peery, Ebersole, Fraser, Riley, H. Myers, Wang, Edmondson, Winsley, Bowman, Casada and D. Sommers

Concerning tax of retirement income.

Referred to Committee on Revenue.

HJR 4228 by Representatives Nelson, Wineberry and Holland

Amending the constitution to allow financial assistance for first-time homebuyers.

Referred to Committee on Housing.

SSB 5069 by Committee on Law & Justice (originally sponsored by Senators Nelson, Rasmussen, Talmadge, Oke, Bailey, Craswell, Thorsness, McCaslin, Johnson, Roach, Metcalf, Vognild and Conner)

Changing the blood and breath alcohol content standards for intoxication for those persons under the age of twenty one.

Referred to Committee on Judiciary.

SB 5077 by Senators Nelson and Rasmussen

Perfecting certain security interests upon recording.

Referred to Committee on Judiciary.

SB 5107 by Senators Nelson, A. Smith and Newhouse

Making multiple changes to the statutes governing corporations.

Referred to Committee on Judiciary.

SJM 8015 by Senators Vognild, Patterson, Gaspard, Hayner, Snyder, Newhouse, Anderson and McMullen

Concerning an international nautical convention.

## MOTIONS

On motion of Ms. Scott, the bills, memorial and resolution listed on today's introduction sheet under the fourth order of business were referred to the committees so designated with the exception of Senate Joint Memorial No. 8015.

On motion of Ms. Scott, the rules were suspended and Senate Joint Memorial No. 8015 was placed at the bottom of the second reading calendar.

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

## REPORTS OF STANDING COMMITTEES

February 22, 1991

HB 1151 Prime Sponsor, Representative Ferguson: Changing blood and breath alcohol content standards for intoxication for those persons under the age of twenty-one. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; Tate; Vance; and Wineberry.

Excused: Representatives Belcher; Broback; Hargrove; Scott; D. Sommers; and Wineberry.

Passed to Committee on Rules for second reading.

February 22, 1991

HB 1228 Prime Sponsor, Representative Brumsickle: Managing state government receivables. Reported by Committee on Revenue

MAJORITY recommendation: Do pass with the following amendments:  
On page 2, line 15, strike all of section 3.  
Renumber sections consecutively and correct any internal references accordingly.

On page 1, line 2 of the title, after "43.88.175;" strike the remainder of the title and insert "and adding a new section to chapter 43.17 RCW."

Signed by Representatives Wang, Chair; Fraser, Vice Chair; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; and Rust.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Morton; Silver; and Van Luven.

Excused: Representative Phillips.

Passed to Committee on Rules for second reading.

February 22, 1991

HB 1335 Prime Sponsor, Representative Nelson: Providing an energy assistance and conservation program for low-income households. Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Bill No. 1335 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Leonard; Ogden; and Wineberry.

MINORITY recommendation: Without recommendation. Signed by Representatives Mitchell, Ranking Minority Member; and Winsley, Assistant Ranking Minority Member.

Excused: Representative Ballard.

Referred to Committee on Revenue.

February 22, 1991

HB 1448 Prime Sponsor, Representative Jacobsen: Establishing the Union Bay wildlife habitat management area. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: That Substitute House Bill No. 1448 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; Wilson, Ranking Minority Member; Cole; Orr; and Spanel.

MINORITY recommendation: Do not pass. Signed by Representatives Hochstatter and Padden.

Excused: Representatives Fuhrman, Assistant Ranking Minority Member; Basich; and Haugen.

Passed to Committee on Rules for second reading.

February 22, 1991

HB 1463 Prime Sponsor, Representative R. King: Establishing procedures for industrial insurance claims. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1463 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Referred to Committee on Appropriations.

February 22, 1991

HB 1464 Prime Sponsor, Representative Prentice: Providing civil penalties for prohibited practices in industrial insurance. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1464 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Franklin; Jones; R. King; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Lisk, Assistant Ranking Minority Member; and Vance.

Passed to Committee on Rules for second reading.

February 22, 1991

HB 1466 Prime Sponsor, Representative Ludwig: Decreasing reduction in disability compensation by amount of reasonable attorneys' fees and costs. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1466 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; Prentice; and Vance.

Passed to Committee on Rules for second reading.

February 22, 1991

HB 1510 Prime Sponsor, Representative R. Meyers: Changing provisions relating to guardianship. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1510 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; Tate; Vance; and Wineberry.

Excused: Representatives Broback and D. Sommers.

Referred to Committee on Appropriations.

February 22, 1991

HB 1552 Prime Sponsor, Representative Padden: Allowing for deferral of a judicial determination that a traffic violation was committed. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1552 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Locke; R. Meyers; H. Myers; Riley; and Vance.

MINORITY recommendation: Without recommendation. Signed by Representatives Mielke; Riley; Scott; Tate; and Wineberry.

Excused: Representative D. Sommers.

Passed to Committee on Rules for second reading.

February 22, 1991

HB 1572 Prime Sponsor, Representative Spanel: Requiring additional labeling on salmon sold for human consumption. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass with the following amendments:  
 On page 2, line 9, after "label" insert ", advertise,"  
 On page 2, line 16, after "label" insert ", advertise,"  
 On page 3, line 7, after "labeling" insert "and advertising"

Signed by Representatives R. King, Chair; Morris, Vice Chair; Wilson, Ranking Minority Member; Cole; Hochstatter; Orr; Padden; and Spanel.

Excused: Representatives Fuhrman, Assistant Ranking Minority Member; Basich; and Haugen.

Passed to Committee on Rules for second reading.

February 21, 1991

HB 1598 Prime Sponsor, Representative Basich: Enhancing the future teacher conditional scholarship program. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute House Bill No. 1598 be substituted therefor, and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Basich; Dellwo; Fraser; Ludwig; Sheldon; and Spanel.

Excused: Representatives Miller, Prince and Van Luven.

Passed to Committee on Rules for second reading.

February 22, 1991

HB 1638 Prime Sponsor, Representative Inslee: Allowing partial summary judgment in civil actions. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1638 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Belcher; Broback; Hargrove; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; Tate; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Paris, Assistant Ranking Minority Member; and Vance.

Voting nay: Representatives Paris, Assistant Ranking Minority Member; Forner; and Vance.

Excused: Representative D. Sommers.

Passed to Committee on Rules for second reading.

February 22, 1991

HB 1710 Prime Sponsor, Representative Miller: Requiring certification of water systems operators. Reported by Committee on Environmental Affairs

MAJORITY recommendation: That Substitute House Bill No. 1710 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; Neher; Phillips; Pruitt; D. Sommers; and Sprenkle.

Excused: Representatives Bray; Phillips; Sprenkle; and Van Luven.

Passed to Committee on Rules for second reading.

February 22, 1991

HB 1732 Prime Sponsor, Representative Appelwick: Allowing cities over 400,000 population to assign warrant servers to the police department. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; Tate; Vance; and Wineberry.

Excused: Representatives D. Sommers and Vance.

Passed to Committee on Rules for second reading.

February 22, 1991

HB 1853 Prime Sponsor, Representative Wang: Increasing fees for nonprofit corporation filings. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Rust; Silver; and Van Luven.

Excused: Representative Phillips.

Passed to Committee on Rules for second reading.

February 22, 1991

HJM 4008 Prime Sponsor, Representative R. King: Requesting Congress and the President to ban driftnets. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass with the following amendment:  
On page 1, line 8, after "of" insert "high seas"

Signed by Representatives R. King, Chair; Morris, Vice Chair; Wilson, Ranking Minority Member; Cole; Hochstatter; Orr; Padden; and Spanel.

Excused: Representatives Fuhrman, Assistant Ranking Minority Member; Basich; and Haugen.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Ms. Scott, the bills and memorial listed on today's committee reports under the fifth order of business were referred to the committees so designated.

#### MOTION

On motion of Ms. Scott, Committee on Local Government was relieved of House Joint Memorial No. 4017 and the bill was placed at the bottom of the second reading calendar.

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

MOTION

On motion of Ms. Miller, the House adjourned until 10:00 a.m., Wednesday, February 27, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**FORTY-FIFTH DAY**

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**MORNING SESSION**

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House Chamber, Olympia, Wednesday, February 27, 1991

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Appelwick, Brekke, Locke, Schmidt, Sheldon, H. Sommers and Mr. Speaker. On motion of Mr. Mielke, Representative Schmidt was excused. On motion of Ms. Roland, Representatives Appelwick, Sheldon and Mr. Speaker were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Tracy Allsup and Sam Peterson. Prayer was offered by The Reverend David McMartin, Minister of the Tumwater Evangelical Free Church.

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

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

**INTRODUCTIONS AND FIRST READING**

**HB 2123** by Representatives O'Brien and Zellinsky

AN ACT Relating to raffle prizes; and amending RCW 9.46.0315 and 66.04.010.

Referred to Committee on Commerce & Labor.

**HB 2124** by Representatives Brough, Orr, Vance and May

AN ACT Relating to provisional periods for certificated employees; and amending RCW 28A.405.220.

Referred to Committee on Education.

**HB 2125** by Representatives Brough, Orr, Betrozoff, May and Nealey

AN ACT Relating to contracts for certificated school personnel; and amending RCW 28A.405.210, 28A.400.300, 28A.405.240, 28A.400.010, 28A.405.220, 28A.405.230, 28A.405.100, 28A.405.310, 28A.405.320, 28A.405.350, 28A.405.380, and 28A.645.010.

Referred to Committee on Education.

**HB 2126** by Representatives Wood, Tate, May and Bowman; by request of Attorney General

AN ACT Relating to consumer and business dispute resolution; amending RCW 7.75.040, 7.75.050, and 7.75.090; and adding a new chapter to Title 19 RCW.

Referred to Committee on Judiciary.

**HB 2127** by Representative Braddock

AN ACT Relating to the regulation of local government self-insurance; amending RCW 48.62.040, 41.04.180, 41.05.021, 35.23.460, 35A.41.020, 36.32.400, 53.08.170, 54.04.050, 56.08.100, 57.08.100, and 43.09.260; adding a new chapter to Title 41 RCW; creating new sections; repealing RCW 48.62.035; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

**HB 2128** by Representatives Cole, Prentice, Braddock, Orr and Franklin

AN ACT Relating to health and safety in the office environment; and amending RCW 49.17.050.

Referred to Committee on Commerce & Labor.

**HB 2129** by Representatives Prentice, Cole, Braddock and Moyer

AN ACT Relating to listing ingredients contained in alcoholic beverages; and adding a new section to chapter 66.28 RCW.

Referred to Committee on Commerce & Labor.

**HB 2130** by Representatives Wineberry, Appelwick, Phillips and Brekke

AN ACT Relating to victim-offender mediation; amending RCW 7.69.020, 7.69.030, 9.94A.110, 9.94A.120, 9.94A.390, 13.40.150, and 13.40.190; adding a new section to chapter 9.94A RCW; and adding a new section to chapter 13.40 RCW.

Referred to Committee on Judiciary.

**HB 2131** by Representatives R. Meyers, Van Luven, Zellinsky and R. King

AN ACT Relating to the Scatter Creek wildlife area; creating new sections; providing an expiration date; and making an appropriation.

Referred to Committee on Fisheries & Wildlife.

HB 2132 by Representatives Wang, Holland, Morris, Silver, Appelwick, McLean, May, Zellinsky and Bowman

AN ACT Relating to business and occupation taxation of insurance salespersons; amending RCW 82.04.360; providing an effective date; and declaring an emergency.

Referred to Committee on Revenue.

HB 2133 by Representatives Casada, Morris, Tate, Ogden, Lisk, Roland, Hochstatter, Brumsickle, Bowman, Horn, Forner, Vance, Wynne, P. Johnson, Edmondson, Ferguson, Van Luven, Neher, Schmidt, Brough, Silver, Ludwig, Franklin, Miller, Mitchell and Betrozoff

AN ACT Relating to small business financing; and adding a new section to chapter 43.31 RCW.

Referred to Committee on Trade & Economic Development.

HB 2134 by Representatives Vance, Lisk, Fuhrman, Forner, Holland, Padden, Bowman, Casada, P. Johnson, May, Ferguson, Hochstatter, Mielke, Heavey, Tate, Silver, Morton, Brumsickle, Winsley, Miller, Mitchell and Betrozoff

AN ACT Relating to the federal targeted jobs tax credit program; and amending RCW 50.16.080.

Referred to Committee on Commerce & Labor.

HB 2135 by Representatives Morris, Braddock and Zellinsky

AN ACT Relating to charity care requirements for certain health maintenance organizations; adding new sections to chapter 48.46 RCW; and prescribing penalties.

Referred to Committee on Health Care.

HB 2136 by Representatives P. Johnson, Sheldon, Lisk, Cantwell, Bowman, Basich, Casada, Heavey, Hochstatter, Rayburn, Tate, Grant, Forner, Franklin, Vance, Cole, Wood, Roland, Ferguson, Prince, Horn, Moyer, Brumsickle, Jacobsen, Ballard, Edmondson, Winsley, Wynne, Neher, Mielke, Rasmussen, Beck, Betrozoff, Paris, Nealey, Schmidt, D. Sommers, Silver, Brough, Ludwig, May, Holland, Miller, Mitchell and Kremen

AN ACT Relating to efficiency in governmental regulation; amending RCW 34.05.220, 34.05.010, 34.05.310, 43.31.005, 43.31.125, 43.19.1911, and 42.04.060; reenacting and amending RCW 19.85.030; adding new sections to chapter 43.31 RCW; adding a new section to chapter 42.17 RCW; adding new sections to chapter 34.05 RCW; adding a new section to chapter 19.85 RCW; adding a new section to

chapter 49.17 RCW; adding a new section to chapter 19.27 RCW; adding new sections to chapter 43.19 RCW; adding new sections to chapter 42.04 RCW; and providing an expiration date.

Referred to Committees on State Government/Appropriations.

HB 2137 by Representatives Wang, Holland, Ebersole, Ballard, Appelwick, Fraser, McLean, May, Winsley, Phillips, Peery, Bowman and Miller

AN ACT Relating to excise taxes on carbonated beverages and syrups; amending RCW 82.64.010, 82.64.020, and 82.64.030; adding new sections to chapter 82.64 RCW; creating a new section; repealing RCW 82.64.040; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Revenue.

HB 2138 by Representatives Nelson, Mitchell, Jacobsen, Ogden, Winsley, Franklin, Braddock, Van Luven, Wineberry, Ballard, Brekke and Anderson

AN ACT Relating to student housing needs at higher education institutions; creating new sections; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Housing.

HB 2139 by Representatives G. Fisher, Winsley and Phillips

AN ACT Relating to the definition of a baccalaureate degree for teacher compensation; and amending RCW 28A.150.410

Referred to Committees on Education/Appropriations.

HB 2140 by Representatives Schmidt, R. Fisher, H. Sommers, Holland, Franklin, Wilson and Betrozoff

AN ACT Relating to budgeting; amending RCW 43.88.030, 43.88.110, 43.88.120, 47.05.070, and 43.88.020; and reenacting and amending RCW 43.88.160.

Referred to Committee on Transportation.

#### MOTION

On motion of Mr. Dorn, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

## REPORTS OF STANDING COMMITTEES

February 25, 1991

HB 1276 Prime Sponsor, Representative R. King: Requiring new schools to have automatic fire equipment. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1276 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betzoff; Broback; Brumsickle; Cole; Dorn; P. Johnson; Jones; Neher; Orr; Rasmussen; Roland; H. Sommers; and Valle.

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

Excused: Representative Phillips.

Referred to Committee on Capital Facilities & Financing.

February 25, 1991

HB 1344 Prime Sponsor, Representative Winsley: Delaying limits on teachers' compensation for post baccalaureate credit. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betzoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Rasmussen; Roland; H. Sommers; and Valle.

Excused: Representative Phillips.

Referred to Committee on Appropriations.

February 25, 1991

HB 1525 Prime Sponsor, Representative Schmidt: Authorizing government travel and subsistence rates for educational employees. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1525 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betzoff; Broback; Brumsickle; Cole; Holland; P. Johnson; Jones; Neher; Orr; Rasmussen; Roland; H. Sommers; and Valle.

Excused: Representative Phillips.

Passed to Committee on Rules for second reading.

February 25, 1991

HB 1632 Prime Sponsor, Representative Winsley: Studying certificated instructional employees' college transcripts to determine credits earned but no recognized on the state allocation model. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1632 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betrozoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Rasmussen; Roland; H. Sommers; and Valle.

Excused: Representative Phillips.

Referred to Committee on Appropriations.

February 25, 1991

HB 1664 Prime Sponsor, Representative Belcher: Clarifying educational requirements regarding sign language. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Vance, Assistant Ranking Minority Member; Betrozoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Rasmussen; Roland; H. Sommers; and Valle.

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

Excused: Representative Phillips.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1688 Prime Sponsor, Representative Rayburn: Maintaining the registration of plant protection products for minor uses. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass with the following amendment: On page 5, line 3, after "hundred" strike "sixty" and insert "twenty-two"

Signed by Representatives Rayburn, Chair; P. Johnson, Assistant Ranking Minority Member; Chandler; Grant; R. Johnson; Lisk; McLean; Rasmussen; and Roland.

Excused: Representatives Kremen, Vice Chair; and Nealey, Ranking Minority Member.

Referred to Committee on Appropriations.

February 25, 1991

HB 1726 Prime Sponsor, Representative Spanel: Including certain tribally controlled colleges in definitions of institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute House Bill No. 1726 be substituted therefor, and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Basich; Dellwo; Fraser; Ludwig; Miller; Prince; Sheldon; Spanel; and Van Luven.

Passed to Committee on Rules for second reading.

February 25, 1991

HB 1882 Prime Sponsor, Representative Morris: Establishing pilot programs for family violence and certification requirements for family violence counselors. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1882 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; and Prentice.

Excused: Representative Sprenkle.

Referred to Committee on Appropriations.

February 26, 1991

HB 1939 Prime Sponsor, Representative Anderson: Providing that either party to a marriage may take the surname of the other. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representative Locke.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 2073 Prime Sponsor, Representative Padden: Increasing the penalties for selling controlled substances for profit. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representative Locke.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Dorn, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

#### SECOND READING

#### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1082 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1082, by Representatives Braddock, Moyer, Sprenkle and Orr

Allowing nondisclosure of trade information by the health care authority and state employees benefits board.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 1082 was substituted for House Bill No. 1082, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1082 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Braddock and Moyer spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1082, and the bill passed the House by the following vote: Yeas - 91, Nays - 0, Absent - 3, Excused - 4.

Voting yea: Representatives Anderson, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Silver, Sommers, D., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky - 91.

Absent: Representatives Brekke, Locke, Sommers, H. - 03.

Excused: Representatives Appelwick, Schmidt, Sheldon, and Mr. Speaker - 04.

Substitute House Bill No. 1082, having received the constitutional majority, was declared passed.

Representatives Appelwick and Schmidt appeared at the bar of the House.

### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1062 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1062, by Representatives Ludwig, Padden, R. Meyers and Orr

Broadening the power of fiduciaries to divide trusts.

The bill was read the second time. On motion of Mr. Ludwig, Substitute House Bill No. 1062 was substituted for House Bill No. 1062, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1062 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Ludwig spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1062, and the bill passed the House by the following vote: Yeas - 93, Nays - 0, Absent - 3, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Silver, Sommers, D., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky - 93.

Absent: Representatives Brekke, Locke, Sommers, H. - 03.

Excused: Representative Sheldon, and Mr. Speaker - 02.

Substitute House Bill No. 1062, having received the constitutional majority, was declared passed.

Representative Locke appeared at the bar of the House.

HOUSE BILL NO. 1064, by Representatives Appelwick, Padden, Ludwig, R. Meyers, Belcher, Paris, Miller and Orr

Prohibiting the unauthorized reproduction or recording of material.

The bill was read the second time. On motion of Mr. Appelwick, Substitute House Bill No. 1064 was substituted for House Bill No. 1064, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1064 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Appelwick and Padden spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1064, and the bill passed the House by the following vote: Yeas - 94, Nays - 0, Absent - 2, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine,

Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Silver, Sommers, D., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky - 94.

Absent: Representatives Brekke, Sommers, H. - 02.

Excused: Representative Sheldon, and Mr. Speaker - 02.

Substitute House Bill No. 1064, having received the constitutional majority, was declared passed.

Representatives Brekke and Sheldon appeared at the bar of the House.

HOUSE BILL NO. 1087, by Representatives Appelwick, Padden, Broback, Paris and Orr

Concerning modification of parenting plans.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Appelwick and Padden spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1087, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 2, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky - 95.

Absent: Representatives Sommers, H., Wood - 02.

Excused: Mr. Speaker - 01.

House Bill No. 1087, having received the constitutional majority, was declared passed.

## STATEMENT FOR THE JOURNAL

I was called off the floor to deal with a telephone message of pressing importance and missed the vote on final passage of House Bill No. 1087. Had I been present I would have voted for passage.

JEANNETTE WOOD, 21st District.

Representative H. Sommers appeared at the bar of the House.

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

## INTRODUCTION OF VISITING DIGNITARY

The Speaker (Mr. O'Brien presiding) instructed the Sergeant at Arms to admit The Honorable Dr. David J. Carter, M.I.A., Speaker of the Legislative Assembly of Alberta, and Oscar J. Lacombe, his Sergeant at Arms, to the House Chamber.

Sergeant at Arms Lacombe escorted Speaker Carter to the rostrum.

## SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding): Speaker Carter, I wish to welcome you and your party to the Washington State House of Representatives. Your grand entrance exceeds the pomp and ceremony accorded Speakers in this legislature, but I think we should look into adopting it. Each member of the House has been provided with a summary of the record of your outstanding public service career, Mr. Speaker. Your visit reminds us of our common parliamentary heritage as well as our common border with your great nation and the common Pacific Northwest regional interests we share with the province of Alberta. We greet you as warm friends and are pleased to receive whatever message you may have for us today.

## REMARKS BY THE HONORABLE DR. DAVID J. CARTER

Dr. Carter: Thank you, Mr. Speaker Pro Tempore. Members of the House of Representatives: I am pleased to bring you greetings from The Honorable Don Getty, Premier of Alberta, and from all members of the three parties represented in the Legislative Assembly of Alberta.

As you can see from the entrance and dress of my Sergeant at Arms and myself, we in Canada have retained many of the symbols and procedures of the British parliamentary system. The robes I am wearing and the ceremonial sword our Sergeant at Arms is carrying are both symbols of these British traditions, as is the business of shouting out "Order. Mr. Speaker."

I was intrigued to learn that the British flag still flies over a small corner of your state on San Juan Island, a site which marks a unique chapter in our shared history. It seems the treaty, defining the border between British and

American territories, was vague when it came to dividing the San Juans, so both countries claimed the islands. Such a dispute could easily have led to war. Instead, in 1859, a plan was worked out for joint occupation. British and American settlers were able to use this to their advantage. When the British tax collector came to call, he was told he was on American land; when the American collector came around, he was told he was trespassing on British territory. Our forefathers were no dummies, were they? This peaceful arrangement continued for thirteen years with the only casualty of conflict being a single British pig. Finally, the German Kaiser was asked to arbitrate, and in 1872 he awarded the islands to the United States. With no apparent sign of animosity, the British packed their bags and headed north to colder climates.

The story of the San Juan Islands illustrates the point that borders need not be barriers. The outbreak of war in the Persian Gulf underlines our achievement in sharing the world's longest undefended and most peaceful boarder.

I would note some other ties which join us as neighbors. Cable television in Alberta provides coverage of the Washington State Legislature via Spokane television. In my office each day I can also pick up Michigan politics from Detroit, and with CNN in Atlanta I can get the coverage of politics throughout the great United States and also Washington, D.C., with its own particular slant on political developments. I can also get, indeed as you do, coverage of the Gulf War.

The main farm team of the Seattle Mariners is the Calgary Cannons of the Pacific Cost League, and that is my home constituency. Many of us in Alberta and in Calgary, in particular, are fans not only of the Mariners but also of the NFL SeaHawks. Our only question is when are the Mariners and the SeaHawks going to make it.

Of course, our ties run deeper than this. We are united not only by our geography generally, but by our histories, language, pioneering traditions, cultures and customs. The Province of Alberta is more than three times larger than Washington State, but we have only two and a half million people.

Yet both Washington and Albert face many of the same challenges and opportunities. Washington State is fortunate--you have an ocean on your doorstep. The Pacific is indeed beautiful, but it is also a vital water highway to the world. Alberta is land-locked. We need the ports of Seattle-Tacoma and Portland as well as Vancouver and Prince Rupert, B.C.

Both of our countries expect to derive substantial benefits from the free trade agreement. Especially under the energy provision Canada will gain greater security of access to your markets. You, in turn, will gain greater access to secure Canadian energy supplies to meet your long-term needs. The magnitude of Alberta's energy resource base is incredible. Albert has seventy-seven percent of Canada's conventional oil, ninety-one percent of its natural gas and all of its bitumen and synthetic oil reserves. And now a mind-boggling figure--an estimated one trillion six hundred and eighty billion barrels of bitumen lie in our oil sand deposits.

The benefits of working together in key areas should be apparent, not only for Washington and Alberta but for the states and provinces which comprise the Pacific Northwest region. In the world of trade the increasing globalization of

the international economy is making regional economic cooperation a matter of vital necessity.

Since becoming Alberta's Speaker in June of 1986, I have ensured the Alberta Legislature's participation in the National Conference of State Legislatures as a means of education and mutual understanding. In October of 1988 I visited this capitol building to familiarize myself with your facility and as a means of making contact across the border. I must say that it is nice to see the place without the scaffolding in it.

However, it was Senator Bluechel who pulled together the first meeting of the legislators and staff of the Pacific Northwest Legislative Leadership Forum in Seattle in October of 1989. Over the past sixteen months leaders and elected representatives have met several times to explore areas where a new regional approach may prove invaluable. Washington, Oregon, Idaho, Montana, Alaska, British Columbia and Alberta share traditions of cooperation. However, we are now challenged to use them as a springboard to a shared future. The goals of the Pacific Northwest economic region are to promote greater collaboration to enhance the competitiveness of our region in international and domestic markets. Tremendous opportunities exist for all seven members of the Pacific Northwest economic region, both individually and collectively, as the initial building blocks identified in Seattle last December indicate.

Working together, we will capture a larger share of the international travel market.

Working together, we will develop an even more highly educated and productive work force.

Working together, we will meet the challenges facing our forestry industry.

Working together, we will enhance the quality of education we provide.

These are ambitious goals but, by joining forces, we can and will achieve results in our five action areas that exceed the capability of any single state or province working alone. Alberta is proud to be a part of this new initiative together with Washington.

And so to return to the San Juan Islands. The coastal region of your state can exemplify the historic spirit of cooperation among our nations. The islands stand as a lasting example of the value of regional and international cooperation. The cooperative traditions which unite us are strong. As neighbors we face many of the same challenges and share many of the same opportunities. Our pasts are intertwined and so, too, are our dreams of the future. Our borders need not be barriers, but rather gateways to a stronger and more prosperous future. Together we have the enthusiasm, backed by ability, energy and resources, to see the Pacific Northwest economic region become a significant force for the future.

Members of this House, my Sergeant at Arms and I thank you for your welcome today, especially as you have welcomed a new act in Gilbert & Sullivan to your great State of Washington.

On behalf of the people of Alberta, Speaker Carter presented a gift to Speaker Pro Tempore O'Brien.

Sergeant at Arms Lacombe escorted Speaker Carter from the House Chamber.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker (Mr. O'Brien presiding) called the House to order.

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

#### MOTION

On motion of Mr. Ebersole, the House adjourned until 12:00 Noon, Thursday, February 28, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**FORTY-SIXTH DAY**

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**NOON SESSION**

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House Chamber, Olympia, Thursday, February 28, 1991

The House was called to order at 12:00 Noon by the Speaker (Mr. O'Brien presiding).

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

**MESSAGE FROM THE SENATE**

February 27, 1991

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 5219,  
SENATE BILL NO. 5351,

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

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

**INTRODUCTIONS AND FIRST READING**

HB 2141 by Representatives Prince, Jacobsen, Anderson and Winsley

AN ACT Relating to the state oral history program; amending RCW 40.14.020; adding new sections to chapter 43.07 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on State Government.

HB 2142 by Representatives Spanel and Winsley; by request of Department of Retirement Systems

AN ACT Relating to notification to public employees of accumulated service credit by the department of retirement systems; and amending RCW 41.50.065.

Referred to Committee on Appropriations.

HB 2143 by Representatives Hargrove, Bowman, R. Meyers, Casada, P. Johnson and Winsley

AN ACT Relating to child support; amending RCW 26.23.060 and 26.19.010; adding new sections to chapter 26.19 RCW; and repealing RCW 26.19.020, 26.19.060, 26.19.090, and 26.19.100.

Referred to Committee on Judiciary.

HB 2144 by Representatives Ebersole, Betrozoff, Cooper, Forner, Winsley and Morris

AN ACT Relating to growth; amending RCW 36.70A.020, 36.70A.030, 36.70A.060, 36.70A.070, 36.70A.080, 36.70A.090, 36.70A.110, 36.70A.120, 36.70A.130, 36.70A.140, 82.46.010, 82.46.035, 43.62.035, 36.70A.190, and 36.93.180; adding new sections to chapter 36.70A RCW; adding a new section to chapter 82.02 RCW; adding a new section to chapter 47.80 RCW; adding new sections to chapter 43.21B RCW; adding a new section to chapter 82.44 RCW; adding a new section to chapter 36.93 RCW; adding a new section to chapter 36.70 RCW; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35.63A RCW; adding a new section to chapter 43.21C RCW; adding a new section to chapter 58.17 RCW; adding a new section to chapter 90.48 RCW; adding a new section to chapter 90.58 RCW; and adding a new section to chapter 90.70 RCW.

Referred to Committee on Trade & Economic Development.

SB 5219 by Senators Patterson, Vognild and Rasmussen; by request of Utilities & Transportation Commission

Changing the limits on liability of common carriers for damage or loss of baggage.

Referred to Committee on Transportation.

SB 5351 by Senators Saling, Bauer, Patterson, Stratton, Thorsness, Rasmussen, Johnson and Moore

Regulating sick leave for exempt higher education employees.

Referred to Committee on Higher Education.

#### MOTION

On motion of Mr. Dorn, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

## REPORTS OF STANDING COMMITTEES

February 26, 1991

HB 1012 Prime Sponsor, Representative Haugen: Providing a mechanism to recover lost fishing nets. Reported by Committee on Appropriations

**MAJORITY recommendation:** The substitute bill by Committee on Fisheries & Wildlife be substituted therefor and the substitute bill do pass with the following amendments:

Beginning on page 3, line 1, strike everything through page 4, line 7, and insert:

NEW SECTION. Sec. 5. The taxes imposed in sections 7 through 9 of this act are intended to provide a funding source for the purposes of sections 2 through 4 of this act.

NEW SECTION. Sec. 6. A new section is added to chapter 82.04 RCW to be codified between RCW 82.04.020 and 82.04.212 and to read as follows:

(1) "Commercial net products" means commercial nets and commercial net components.

(2) "Commercial nets" means commercial trawl nets, commercial purse seine nets, and commercial gill nets.

(3) "Commercial net components" means net web, net mesh, and net panels intended for use as components of commercial nets.

NEW SECTION. Sec. 7. A new section is added to chapter 82.04 RCW to read as follows:

There is levied and shall be collected from every person for the act or privilege of engaging within this state in business as a manufacturer an additional tax equal to the value of commercial net products manufactured multiplied by the rate of four-tenths of one percent.

NEW SECTION. Sec. 8. A new section is added to chapter 82.04 RCW to read as follows:

There is levied and shall be collected from every person for the act or privilege of engaging within this state in the business of making sales at wholesale an additional tax equal to the gross proceeds of sales of commercial net products multiplied by the rate of four-tenths of one percent.

NEW SECTION. Sec. 9. A new section is added to chapter 82.04 RCW to read as follows:

There is levied and shall be collected from every person for the act or privilege of engaging within this state in the business of making sales at retail an additional tax equal to the gross proceeds of sales of commercial net products multiplied by the rate of four-tenths of one percent.

NEW SECTION. Sec. 10. A new section is added to chapter 43.131 RCW to read as follows:

The lost fishing net program and the powers and duties under the program shall be terminated on June 30, 1998, as provided in section 11 of this act.

NEW SECTION. Sec. 11. A new section is added to chapter 43.131 RCW to read as follows:

The following acts, or parts of acts, as now existing or hereafter amended are each repealed, effective June 30, 1999:

- (1) 1991 c \_\_\_ s 1 (section 1 of this act) (uncodified);
- (2) RCW 75.28. \_\_\_ and 1991 c \_\_\_ s 2 (section 2 of this act);
- (3) RCW 75.28. \_\_\_ and 1991 c \_\_\_ s 3 (section 3 of this act);
- (4) RCW 75.28. \_\_\_ and 1991 c \_\_\_ s 4 (section 4 of this act);
- (5) 1991 c \_\_\_ s 5 (section 5 of this act) (uncodified);
- (6) RCW 82.04. \_\_\_ and 1991 c \_\_\_ s 6 (section 6 of this act);
- (7) RCW 82.04. \_\_\_ and 1991 c \_\_\_ s 7 (section 7 of this act);

(8) RCW 82.04.\_\_\_\_ and 1991 c \_\_\_\_ s 8 (section 8 of this act); and

(9) RCW 82.04.\_\_\_\_ and 1991 c \_\_\_\_ s 9 (section 9 of this act).

NEW SECTION. Sec. 12. The repeal of sections 1 through 9 of this act shall not be construed as affecting any existing right acquired or liability or obligation incurred under those sections or under any rule or order adopted under those sections, nor as affecting any proceeding instituted under those sections.

NEW SECTION. Sec. 13. If any provision of sections 7 through 9 of this act or the application of those sections to any person is held invalid, this act shall be void and without effect.

NEW SECTION. Sec. 14. Sections 2 through 4 of this act are each added to chapter 75.28 RCW.

NEW SECTION. Sec. 15. Sections 2 through 9 of this act shall take effect January 1, 1992.

NEW SECTION. Sec. 16. The department of fisheries and the department of revenue may take such steps as are necessary to ensure that sections 2 through 9 of this act are implemented on January 1, 1992.

NEW SECTION. Sec. 17. Section 16 of 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 shall take effect immediately.

Renumber sections consecutively and correct any internal references accordingly.

On page 1, line 2 of the title, after "75.28 RCW;" strike "adding a new section" and insert "adding new sections"

On page 1, line 4 of the title, strike "a new section" and insert "new sections"

On page 1, line 4 of the title, after "appropriation;" strike the remainder of the title and insert "providing an effective date; and declaring an emergency."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Hine; Holland; McLean; Mielke; Peery; Pruitt; Rust; H. Sommers; Valle; Vance; Wang; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Fuhrman; Lisk; and Nealey.

Voting nay: Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Fuhrman; Lisk; McLean; Mielke; and Nealey.

Excused: Representatives May and Sprenkle.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1050 Prime Sponsor, Representative Morris: Modifying the type of emergency medical service districts that may impose excess levies. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1050 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Excused: Representative Nealey.

Passed to Committee on Rules for second reading.

February 27, 1991

HB 1097 Prime Sponsor, Representative Orr: Waiving tuition and fees for national guard members. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute House Bill No. 1097 be substituted therefor, and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; Basich; Dellwo; Fraser; Ludwig; Miller; Prince; and Sheldon.

MINORITY recommendation: Without recommendation. Signed by Representatives May, Assistant Ranking Minority Member; and Spanel.

Excused: Representative Van Luven.

Referred to Committee on Appropriations.

February 26, 1991

HB 1153 Prime Sponsor, Representative Winsley: Prescribing monetary penalties for littering. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1153 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Fornér; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representative Locke.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1211 Prime Sponsor, Representative Belcher: Revising retirement benefits. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill do pass with the following amendments:

On page 34, after line 12, insert the following:

"(3) If a member who is eligible for retirement or a member who has completed at least ten years of service dies after October 1, 1977, and is not survived by a spouse or an eligible child, then the accumulated contributions standing to the member's credit, less any amount identified as owing to an obligee upon withdrawal of accumulated contributions pursuant to a court order filed under section 13 of this act, shall be paid:

(a) To a person or persons, having an insurable interest in the member's life, as the member shall have nominated by written designation duly executed and filed with the department; or

(b) If there is no such designated person or persons still living at the time of the member's death, then to the member's legal representatives."

On page 37, after line 30, insert the following:

"(3) If a member who is eligible for retirement or a member who has completed at least ten years of service dies after October 1, 1977, and is not survived by a spouse or an eligible child, then the accumulated contributions standing to the member's credit, less any amount identified as owing to an obligee upon withdrawal of accumulated contributions pursuant to a court order filed under section 13 of this act, shall be paid:

(a) To a person or persons, having an insurable interest in the member's life, as the member shall have nominated by written designation duly executed and filed with the department; or

(b) If there is no such designated person or persons still living at the time of the member's death, then to the member's legal representatives."

On page 39, after line 15, insert the following:

"(3) If a member who is eligible for retirement or a member who has completed at least ten years of service dies after October 1, 1977, and is not survived by a spouse or an eligible child, then the accumulated contributions standing to the member's credit, less any amount identified as owing to an obligee upon withdrawal of accumulated contributions pursuant to a court order filed under section 13 of this act, shall be paid:

(a) To a person or persons, having an insurable interest in the member's life, as the member shall have nominated by written designation duly executed and filed with the department; or

(b) If there is no such designated person or persons still living at the time of the member's death, then to the member's legal representatives."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Hine; Holland; Lisk; McLean; Peery; Pruitt; Rust; H. Sommers; Valle; Vance; Wang; and Wineberry.

MINORITY recommendation: Without recommendation. Signed by Representatives Silver, Ranking Minority Member; and Fuhrman.

Excused: Representatives May and Sprenkle.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1317 Prime Sponsor, Representative Silver: Clarifying the tax exemption for medically prescribed oxygen. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1317 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; Silver; and Van Luven.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1357 Prime Sponsor, Representative Fraser: Relating to the public disclosure of tax information. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1357 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; Silver; and Van Luven.

Passed to Committee on Rules for second reading.

February 25, 1991

HB 1378 Prime Sponsor, Representative Appelwick: Changing provisions relating to superior court fees. Reported by Committee on Appropriations

MAJORITY recommendation: That Substitute House Bill No. 1378 be substituted therefor, and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Hine; Holland; Mielke; Peery; Pruitt; Rust; H. Sommers; Valle; Vance; and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Ferguson; Fuhrman; McLean; and Nealey.

Excused: Representatives Ebersole; Lisk; Sprenkle; and Wineberry.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1444 Prime Sponsor, Representative Miller: Directing that criteria be established designating individuals or water purveyors as satellite system management agencies. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute House Bill No. 1444 be substituted therefor, and the substitute bill do pass. Signed by Representatives Belcher, Chair; Scott, Vice Chair; Beck, Ranking Minority Member; Brumsickle, Assistant Ranking Minority Member; Dellwo; Fraser; Hargrove; Morton; Riley; Sheldon; and Wynne.

Referred to Committee on Revenue.

February 26, 1991

HB 1496 Prime Sponsor, Representative O'Brien: Changing the disposition of professional license fees. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1496 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; Silver; and Van Luven.

Passed to Committee on Rules for second reading.

February 27, 1991

HB 1500 Prime Sponsor, Representative Riley: Increasing the pay for jail labor performed by prisoners with outstanding fines and costs. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1517 Prime Sponsor, Representative Phillips: Ratifying the Pacific Ocean Resources Compact. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:  
On page 14, line 17, strike section 4

On page 1, line 1 of the title, after "Compact;" insert "and"

On page 1, line 2 of the title, strike "; and making an appropriation"

Signed by Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; Neher; Phillips; Pruitt; D. Sommers; Sprenkle; and Van Luven.

Referred to Committee on Appropriations.

February 25, 1991

HB 1569 Prime Sponsor, Representative Braddock: Providing for community-based long-term care and support services for functionally disabled persons. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1569 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; and Prentice.

Excused: Representative Sprenkle.

Referred to Committee on Revenue.

February 26, 1991

HB 1581 Prime Sponsor, Representative Grant: Placing the burden of proof on utilities to show that certain operations are not subject to regulation. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Grant, Chair; H. Myers, Vice Chair; May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Bray; Casada; Cooper; R. Fisher; Miller; and Rayburn.

Excused: Representative Jacobsen.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1597 Prime Sponsor, Representative Locke: Restricting tobacco products sales. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 10, after "Sec. 3." strike all material through "may" on page 2, line 11, and insert: "If an appropriate enforcing agency has reason to believe that a violation of this chapter has occurred, the enforcing agency shall issue an order of noncompliance to the alleged violator, informing the alleged violator that a civil action shall begin in one week if the tobacco vending machine is not brought into compliance with this chapter."

If after one week the tobacco vending machine has not been brought into compliance, the enforcing agency shall"

Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; and Vance.

Excused: Representative Wilson.

Passed to Committee on Rules for second reading.

February 27, 1991

HB 1629 Prime Sponsor, Representative Prentice: Redefining the practice of chiropractic. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1629 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; and Prentice.

MINORITY recommendation: Without recommendation. Signed by Representative Sprenkle.

Excused: Representative Sprenkle.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1696 Prime Sponsor, Representative Miller: Providing an inventory of publicly owned land and buildings suitable for affordable housing. Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Bill No. 1696 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Ballard; Leonard; Ogden; and Wineberry.

Referred to Committee on Capital Facilities & Financing.

February 26, 1991

HB 1712 Prime Sponsor, Representative Heavey: Providing for the registration of athlete agents. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1712 be substituted therefor, and the substitute bill do pass. Signed by Representatives

Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; and Vance.

Excused: Representatives O'Brien and Wilson.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1734 Prime Sponsor, Representative Nelson: Providing for the sale and purchase of section 8 assisted housing developments. Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Bill No. 1734 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Ballard; Leonard; Ogden; and Wineberry.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1747 Prime Sponsor, Representative Jones: Creating the homelessness prevention program. Reported by Committee on Housing

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 25, after "costs;" strike all material down to and including "(c)" on line 27 and insert "and (b)"

On page 3, line 24, after "payment" strike all material down to and including "livelihood" on line 26

On page 4, line 13, after "payments" strike ", or equipment or machinery payments on their behalf"

Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Ballard; Leonard; Ogden; and Wineberry.

Referred to Committee on Appropriations.

February 26, 1991

HB 1836 Prime Sponsor, Representative Belcher: Adopting the model rivers act. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute House Bill No. 1836 be substituted therefor, and the substitute bill do pass. Signed by Representatives Belcher, Chair; Scott, Vice Chair; Dellwo; Fraser; Hargrove; Riley; and Sheldon.

MINORITY recommendation: Without recommendation. Signed by Representatives Beck, Ranking Minority Member; Brumsickle, Assistant Ranking Minority Member; Morton; and Wynne.

Referred to Committee on Appropriations.

February 27, 1991

HB 1869 Prime Sponsor, Representative Bowman: Changing ownership of funds and awards of the exceptional faculty awards program. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute House Bill No. 1869 be substituted therefor, and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Basich; Dellwo; Fraser; Ludwig; Miller; Prince; and Sheldon.

MINORITY recommendation: Without recommendation. Signed by Representative Spanel.

Excused: Representative Van Luven.

Referred to Committee on Appropriations.

February 26, 1991

HB 1883 Prime Sponsor, Representative R. Meyers: Encouraging gasohol. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 1, strike section 2 and insert:

"Sec. 2. RCW 82.36.225 and 1985 c 371 s 4 are each amended to read as follows:

Alcohol of any proof that is sold in this state for use as fuel in motor vehicles, farm implements and machines, or implements of husbandry is exempt from the motor vehicle fuel tax under this chapter. In addition, a tax credit of sixty percent of the tax rate imposed by RCW 82.36.025 shall be given for every gallon of alcohol used in an alcohol-gasoline blend which contains at least nine and one-half percent or more by volume of alcohol: Provided, That in no case may the tax credit claimed be greater than the tax due on the gasoline portion of the blended fuel.

This section shall expire on December 31, ((1992)) 1999."

On page 1, line 2 of the title, strike "82.04.325" and insert "82.36.225"

Signed by Representatives Grant, Chair; H. Myers, Vice Chair; May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Bray; Casada; Cooper; R. Fisher; Miller; and Rayburn.

Excused: Representative Jacobsen.

Referred to Committee on Transportation.

February 27, 1991

HB 1941 Prime Sponsor, Representative Bowman: Directing the department of social and health services to seek a federal waiver that would allow certain public assistance recipients to retain internship income. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Referred to Committee on Appropriations.

February 27, 1991

HB 2008 Prime Sponsor, Representative Nelson: Changing "handicapped" to "disabled.". Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 2028 Prime Sponsor, Representative Appelwick: Updating the uniform controlled substance act. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 2028 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representative Locke.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 2059 Prime Sponsor, Representative H. Myers: Providing low-income persons with residential weatherization and energy assistance. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Grant, Chair; H. Myers, Vice Chair; May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Bray; Casada; Cooper; R. Fisher; Miller; and Rayburn.

Excused: Representative Jacobsen.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 2115 Prime Sponsor, Representative Nelson: Providing financial assistance for first-time home buyers. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Leonard; Ogden; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Winsley, Assistant Ranking Minority Member; and Ballard.

Excused: Representatives Ballard and Winsley.

Passed to Committee on Rules for second reading.

February 26, 1991

HJM 4004 Prime Sponsor, Representative Nealey: Requesting Congress to increase ethanol content in motor fuel. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Grant, Chair; H. Myers, Vice Chair; May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Bray; Casada; Cooper; R. Fisher; Miller; and Rayburn.

Excused: Representative Jacobsen.

Passed to Committee on Rules for second reading.

February 26, 1991

HJR 4228 Prime Sponsor, Representative Nelson: Amending the Constitution to allow financial assistance for first-time home buyers. Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Joint Resolution No. 4228 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Ballard; Leonard; Ogden; and Wineberry.

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

Passed to Committee on Rules for second reading.

## MOTION

On motion of Mr. Dorn, the bills, memorial and resolution listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

## MOTION

On motion of Mr. Dorn, House Bill No. 2127 was referred from Committee on Financial Institutions & Insurance to Committee on Health Care.

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

## MOTION

On motion of Mr. Dorn, the House adjourned until 10:00 a.m., Friday, March 1, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**FORTY-SEVENTH DAY**-----  
**MORNING SESSION**  
-----

House Chamber, Olympia, Friday, March 1, 1991

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Basich, Belcher, Ferguson, Grant, Hargrove, Haugen, Locke, Morris, Padden, Sprenkle, Wilson and Mr. Speaker. On motion of Ms. Roland, Representatives Basich, Grant, Hargrove, Haugen and Mr. Speaker were excused. On motion of Mr. Mielke, Representatives Ferguson, Padden and Wilson were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Lisa Chandler and Jeremy Janda. Prayer was offered by The Reverend David McMartin, Minister of the Tumwater Free Evangelical Church.

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

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

**INTRODUCTIONS AND FIRST READING**

**HB 2145** by Representatives R. Meyers, Dorn, Pruitt, Chandler, D. Sommers, Cooper, Nealey and Ogden

AN ACT Relating to chiropractic peer review; and adding new sections to chapter 18.26 RCW.

Referred to Committee on Health Care.

**HB 2146** by Representatives Fraser, Vance, Chandler, D. Sommers, Forner, R. King, Winsley, Moyer, Horn, Morton and Hochstatter

AN ACT Relating to criminal history background checks; and amending RCW 43.43.832.

Referred to Committee on Judiciary.

**HB 2147** by Representatives Heavey and Wang

AN ACT Relating to the lottery; amending RCW 67.70.040; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 2148 by Representatives Phillips, Vance, Chandler, D. Sommers, Forner, Winsley, Morton and Anderson

AN ACT Relating to the sale of controlled substances on or near a preschool facility; reenacting and amending RCW 69.50.435; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2149 by Representative Braddock

AN ACT Relating to waste management, reduction, and recycling; adding a new section to chapter 43.21A RCW; creating a new section; and making an appropriation.

Referred to Committees on Environmental Affairs/Appropriations.

HB 2150 by Representatives Phillips and Heavey

AN ACT Relating to school levies; amending RCW 84.52.0531 and 28A.500.010; and providing an effective date.

Referred to Committee on Education.

HB 2151 by Representatives R. Fisher, G. Fisher, Forner, Mitchell, Prentice, Prince, Paris, Hine, Wood and Horn

AN ACT Relating to high capacity transportation systems; and amending RCW 81.104.010, 81.104.020, 81.104.040, 81.104.050, 81.104.060, 81.104.080, 81.104.090, 81.104.100, 81.104.110, 81.104.140, and 81.104.160.

Referred to Committee on Transportation.

HB 2152 by Representatives Leonard, Mitchell, Nelson, Franklin, Ogden, Ballard, Winsley, Chandler, D. Sommers, Forner, Moyer, Morton and Hochstatter

AN ACT Relating to a study on having direct payments to landlords from public assistance; creating new sections; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Housing.

HB 2153 by Representative Appelwick

AN ACT Relating to enforcement of child support; amending RCW 26.18.070, 26.18.100, 26.18.110, 26.18.140, 26.23.050, 26.23.060, and 26.23.100; and prescribing penalties.

Referred to Committee on Judiciary.

HB 2154 by Representative Appelwick

AN ACT Relating to child support and maintenance; and amending RCW 26.09.010, 26.09.170, 26.09.175, 26.09.225, and 26.09.280.

Referred to Committee on Judiciary.

HB 2155 by Representatives Scott, Appelwick, R. King and Miller

AN ACT Relating to expanding family courts and family court services; amending RCW 26.12.010, 26.12.060, 26.12.170, 26.12.190, and 26.12.220; adding new sections to chapter 26.12 RCW; repealing RCW 26.12.090, 26.12.100, 26.12.110, 26.12.120, 26.12.130, 26.12.140, 26.12.150, 26.12.180, 26.12.200, and 26.12.210; making an appropriation; and declaring an emergency.

Referred to Committees on Judiciary/Appropriations.

### MOTION

On motion of Mr. Dorn, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

### REPORTS OF STANDING COMMITTEES

February 26, 1991

HB 1010 Prime Sponsor, Representative Haugen: Creating an office of natural resource enforcement. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Fisheries & Wildlife be substituted therefor, and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Hine; Holland; Mielke; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Morton, Assistant Ranking Minority Member; Fuhrman; Lisk; McLean; and Nealey.

Excused: Representatives May and Vance.

Passed to Committee on Rules for second reading.

February 27, 1991

HB 1068 Prime Sponsor, Representative Brough: Allowing noncertificated, unsupervised persons to teach in the common schools under limited circumstances. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1068 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betrozoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Neher; Orr; Rasmussen; Roland; and H. Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives G. Fisher, Vice Chair; Jones; Phillips; and Valle.

Excused: Representative Roland.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1133 Prime Sponsor, Representative Valle: Changing review and approval of personal service contracts. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 1133 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; Bowman, Assistant Ranking Minority Member; Chandler; Grant; O'Brien; and Sheldon.

MINORITY recommendation: Do not pass. Signed by Representatives McLean, Ranking Minority Member; R. Fisher; and Moyer.

Referred to Committee on Appropriations.

February 27, 1991

HB 1219 Prime Sponsor, Representative Brumsickle: Allowing retired teachers to work in educational institutions for ninety days without a reduction in benefits. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betrozoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Excused: Representative Roland.

Referred to Committee on Appropriations.

February 26, 1991

HB 1262 Prime Sponsor, Representative Zellinsky: Lessening emergency service tow truck restrictions. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Cantwell; Cooper; Day; G. Fisher; Forner; Horn; P. Johnson; R. Johnson; Jones; Mitchell; Orr; Prentice; Prince; Schmidt; Wilson; and Wood.

MINORITY recommendation: Do not pass. Signed by Representatives Brough and Heavey.

Excused: Representatives Basich; Haugen; Jones; Kremen; Nelson; Prince; and Zellinsky.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1308 Prime Sponsor, Representative Winsley: Modifying membership of the state board of registration for professional engineers and land surveyors. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1314 Prime Sponsor, Representative Haugen: Creating the natural resource worker project. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: That Substitute House Bill No. 1314 be substituted therefor, and the substitute bill do pass. Signed by Representatives Cantwell, Chair; Sheldon, Vice Chair; Forner, Ranking Minority Member; Betrozoff, Assistant Ranking Minority Member; Ferguson; Ludwig; Moyer; Rasmussen; Riley; and Roland.

Excused: Representative Kremen.

Referred to Committee on Appropriations.

February 26, 1991

HB 1315 Prime Sponsor, Representative Haugen: Creating a training program for displaced timber workers in Skagit county. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: That Substitute House Bill No. 1315 be substituted therefor, and the substitute bill do pass. Signed by Representatives Cantwell, Chair; Sheldon, Vice Chair; Forner, Ranking Minority Member; Betrozoff, Assistant Ranking Minority Member; Ferguson; Ludwig; Moyer; Rasmussen; Riley; and Roland.

Excused: Representative Kremen.

Referred to Committee on Appropriations.

February 27, 1991

HB 1324 Prime Sponsor, Representative Zellinsky: Restricting licenses for owners owing towing expenses. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 1324 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; Jones; Kremen; Orr; Prentice; Wood; and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Cantwell; Cooper; Mitchell; Nelson; and Schmidt.

Voting nay: Representatives Cantwell; Cooper; G. Fisher; Forner; Mitchell; Nelson; Prince; Schmidt; and Wilson.

Excused: Representatives Brough and R. Johnson.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1362 Prime Sponsor, Representative Heavey: Extending collective bargaining laws to uniformed personnel of all cities, towns, and counties. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; and Vance.

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

Excused: Representatives O'Brien and Wilson.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1364 Prime Sponsor, Representative Forner: Providing military leave for public employees and officers called to active duty. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Passed to Committee on Rules for second reading.

February 27, 1991

HB 1371 Prime Sponsor, Representative Hargrove: Modifying probation assessment provisions. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Excused: Representative Brekke.

Passed to Committee on Rules for second reading.

February 27, 1991

HB 1372 Prime Sponsor, Representative Hargrove: Repealing the interstate parole and probation hearing procedures act. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Excused: Representative Brekke.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1490 Prime Sponsor, Representative R. Johnson: Changing provisions relating to flood control management. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1490 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nelson; Rayburn; Roland; Wood; and Wynne.

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

Excused: Representative Nealey.

Referred to Committee on Appropriations.

February 27, 1991

HB 1558 Prime Sponsor, Representative R. Meyers: Improving the state patrol compensation survey. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betzoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representatives Brough; R. Johnson; and Prince.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1564 Prime Sponsor, Representative Nelson: Requiring the department of general administration to develop and implement a comprehensive transportation and parking program. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 1564 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betzoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Brough; Cantwell; Cooper; Day; G. Fisher; Forner; Heavey; Horn; P. Johnson; R. Johnson; Jones; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; and Wood.

Excused: Representatives Basich; Haugen; Kremen; and Zellinsky.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1567 Prime Sponsor, Representative Prentice: Establishing protections for agricultural employees. Reported by Committee on Commerce & labor

MAJORITY recommendation: That Substitute House Bill No. 1567 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; Prentice; and Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; and Vance.

Passed to Committee on Rules for second reading.

February 27, 1991

HB 1586 Prime Sponsor, Representative D. Sommers: Providing criteria for exempting continuing care retirement communities. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1586 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1637 Prime Sponsor, Representative Scott: Providing a tax credit for employer-sponsored child care facilities. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: That Substitute House Bill No. 1637 be substituted therefor, and the substitute bill do pass. Signed by Representatives Cantwell, Chair; Sheldon, Vice Chair; Forner, Ranking Minority Member; Betzoff, Assistant Ranking Minority Member; Ferguson; Ludwig; Moyer; Rasmussen; Riley; and Roland.

Excused: Representative Kremen.

Referred to Committee on Revenue.

February 26, 1991

HB 1646 Prime Sponsor, Representative Locke: Pertaining to Class IV human immunodeficiency virus insurance program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Holland; Lisk; McLean; Nealey; Peery; Pruitt; Rust; H. Sommers; Vance; Wang; and Wineberry.

Excused: Representatives May and Sprenkle.

Passed to Committee on Rules for second reading.

February 27, 1991

HB 1704 Prime Sponsor, Representative Cooper: Changing provisions relating to motor vehicles. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 1704 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Chandler, Assistant Ranking Minority Member; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Wood; and Zellinsky.

Excused: Representatives Brough and R. Johnson.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1725 Prime Sponsor, Representative Prentice: Addressing workplace hazards and pregnancy. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1725 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Vance; and Wilson.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1730 Prime Sponsor, Representative Heavey: Changing eligibility and benefits for unemployment compensation. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1730 be substituted therefor, and the substitute bill do pass. Signed by Representatives

Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Vance; and Wilson.

Referred to Committee on Appropriations.

February 26, 1991

HB 1748 Prime Sponsor, Representative Ludwig: Preventing termination of the small business export finance assistance center. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Cantwell, Chair; Sheldon, Vice Chair; Forner, Ranking Minority Member; Betzoff, Assistant Ranking Minority Member; Ferguson; Ludwig; Moyer; Rasmussen; Riley; and Roland.

Excused: Representative Kremen.

Passed to Committee on Rules for second reading.

February 27, 1991

HB 1762 Prime Sponsor, Representative Brough: Allowing eleventh and twelfth grade students to take courses at institutions of higher education for high school credit. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1762 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betzoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Excused: Representative Roland.

Referred to Committee on Appropriations.

February 26, 1991

HB 1800 Prime Sponsor, Representative Fraser: Creating the office of international relations and protocol. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 1800 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member;

Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Referred to Committee on Appropriations.

February 27, 1991

HB 1878 Prime Sponsor, Representative Cooper: Establishing minimum requirements for dealers' plates. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betzoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; Jones; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representatives Brough and R. Johnson.

Passed to Committee on Rules for second reading.

February 27, 1991

HB 1887 Prime Sponsor, Representative Fraser: Redefining open space land. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; Scott, Vice Chair; Beck, Ranking Minority Member; Brumsickle, Assistant Ranking Minority Member; Dellwo; Fraser; Hargrove; Morton; Riley; Sheldon; and Wynne.

Referred to Committee on Revenue.

February 28, 1991

HB 1935 Prime Sponsor, Representative McLean: Authorizing the attorney general to assist in the recovery of damages incurred by the agricultural industry. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Minority Member; P. Johnson, Assistant Ranking Minority Member; Grant; R. Johnson; Lisk; McLean; Rasmussen; and Roland.

Excused: Representatives Chandler and Rasmussen.

Referred to Committee on Appropriations.

February 28, 1991

HB 1954 Prime Sponsor, Representative Rayburn: Changing conditions and limitations on agricultural nuisances. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: That Substitute House Bill No. 1954 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Minority Member; P. Johnson, Assistant Ranking Minority Member; Grant; R. Johnson; Lisk; McLean; Rasmussen; and Roland.

Excused: Representative Chandler.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1961 Prime Sponsor, Representative Wineberry: Adopting the Washington agricultural labor relations act. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Vance; and Wilson.

Referred to Committee on Appropriations.

February 28, 1991

HB 1977 Prime Sponsor, Representative Belcher: Increasing in-state marketing opportunities for small agricultural producers. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Minority Member; P. Johnson, Assistant Ranking Minority Member; Grant; R. Johnson; Lisk; McLean; Rasmussen; and Roland.

Excused: Representative Chandler.

Passed to Committee on Rules for second reading.

February 27, 1991

HB 1985 Prime Sponsor, Representative Brumsickle: Requiring teachers to have professional preparation in child abuse issues. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betzoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Excused: Representative Roland.

Passed to Committee on Rules for second reading.

February 27, 1991

HB 1986 Prime Sponsor, Representative Leonard: Providing for the protection and advocacy of the rights of developmentally disabled persons. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Passed to Committee on Rules for second reading.

February 27, 1991

HB 1991 Prime Sponsor, Representative R. Fisher: Adjusting certain vehicle size and weight restrictions. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betzoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representatives Brough and R. Johnson.

Passed to Committee on Rules for second reading.

February 27, 1991

HB 1995 Prime Sponsor, Representative R. Fisher: Exempting converter gear and tow dollies from licensing. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betzoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representatives Brough and R. Johnson.

Passed to Committee on Rules for second reading.

February 28, 1991

HJM 4016 Prime Sponsor, Representative Ludwig: Requesting that Hanford be acknowledged as a national research and development center. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Grant, Chair; H. Myers, Vice Chair; May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Bray; Casada; Cooper; Jacobsen; Miller; and Rayburn.

Excused: Representative R. Fisher.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Dorn, the bills and memorial listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

#### SECOND READING

#### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1089 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1089, by Representatives Appelwick, Paris and Padden  
Changing confidentiality of postdecree mediation proceedings.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Appelwick spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1089, and the bill passed the House by the following vote: Yeas - 86, Nays - 0, Absent - 4, Excused - 8.

Voting yea: Representatives Anderson, Appelwick, Ballard, Beck, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wineberry, Winsley, Wood, Wynne, Zellinsky - 86.

Absent: Representatives Belcher, Locke, Morris, Sprenkle - 04.

Excused: Representatives Basich, Ferguson, Grant, Hargrove, Haugen, Padden, Wilson, and Mr. Speaker - 08.

House Bill No. 1080, having received the constitutional majority, was declared passed.

Representatives Belcher, Ferguson, Grant, Haugen, Locke, Morris and Sprenkle appeared at the bar of the House.

HOUSE BILL NO. 1118, by Representatives R. Fisher, R. Meyers, Schmidt and Prince

Adjusting length restrictions on buses.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 30th Day, February 12, 1991.)

Ms. R. Fisher moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives R. Meyers and Betrozoff spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1118, and the bill passed the House by the following vote: Yeas - 93, Nays - 0, Absent - 0, Excused - 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wineberry, Winsley, Wood, Wynne, Zellinsky - 93.

Excused: Representatives Basich, Hargrove, Padden, Wilson, and Mr. Speaker - 5.

Engrossed House Bill No. 1118, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1137, by Representatives Haugen, Horn, Wang, Prince, Scott, Wilson, Zellinsky, Riley, Morris, Rayburn, Dorn, Wood, Paris, Orr, Ferguson, Winsley, Bray, Ludwig, Chandler, Inslee, Ogden, Ballard, Forner, Rasmussen, Roland, R. Johnson, Vance, Sheldon, Appelwick, Spanel, Leonard, Broback, D. Sommers, Hine, Kremen, Hargrove, Jones, May, Edmondson, Brough, Holland, Betrozoff, Wynne, Nealey, Miller, Bowman and Moyer; by request of Task Force on City/County Finances

Clarifying "criminal justice purposes" for local government criminal justice assistance.

The bill was read the second time. On motion of Mr. Cooper, Substitute House Bill No. 1137 was substituted for House Bill No. 1137, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1137 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Haugen, Ferguson and Horn spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1137, and the bill passed the House by the following vote: Yeas - 93, Nays - 0, Absent - 0, Excused - 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wineberry, Winsley, Wood, Wynne, Zellinsky - 93.

Excused: Representatives Basich, Hargrove, Padden, Wilson, and Mr. Speaker - 5.

Substitute House Bill No. 1137, having received the constitutional majority, was declared passed.

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

### RESOLUTION

#### HOUSE RESOLUTION NO. 91-4633, by Representative Valle

WHEREAS, A great many young people in the West Seattle, Burien, and White Center area participated in the 1990-91 "There Ought to be a Law" program of hands-on democracy; and

WHEREAS, The students in Ed Billodue's class at West Seattle High School, Mike Haigh's class at Chief Sealth High School, Sandra LaLanne's class at Evergreen High School, and Gary Peterson's class at Highline High School invested significant time and thought in the program; and

WHEREAS, The students emphasized a keen interest in the democratic process and a sincere commitment to helping make their community a better place in which to live; and

WHEREAS, All of the classes involved in the program developed excellent legislation for possible consideration in the 52nd State Legislature; and

WHEREAS, Examples of the students' realistic and forthright legislative ideas included the following:

(1) Proposals for higher teacher salaries and lower automobile insurance rates for good young drivers, from the West Seattle students;

(2) College tuition assistance and lower automobile insurance rates for good young drivers, from the Chief Sealth students;

(3) College tuition assistance and tougher antismoking laws from the Evergreen students; and

(4) Lower automobile insurance rates for good young drivers from the Highline students; and

WHEREAS, The young people continue to follow the work of the 1991 Legislative Session with a renewed sense of the role each can play in the work of government;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington honor the participating students and teachers at

West Seattle High School, Chief Sealth High School, Evergreen High School, and Highline High School; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the classes involved in the 1990-91 "There Ought to be a Law" program.

Ms. Valle moved adoption of the resolution. Representatives Valle and Heavey spoke in favor of the resolution.

House Resolution No. 91-4633 was adopted.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

### MESSAGE FROM THE SENATE

February 27, 1991

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1511 with the following amendment:

On page 5, line 9, after ~~1991~~), strike "July 1, 1992" and insert "April 19, 1991" and the same is herewith transmitted.

W. D. Naismith, Deputy Secretary.

### MOTION

Mr. Anderson moved that the House do concur in the Senate amendment to Substitute House Bill No. 1511.

Representatives Anderson and McLean spoke in favor of the motion, and it was carried.

### FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 1511 as amended by the Senate.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1511 as amended by the Senate, and the bill passed the House by the following vote: Yeas - 93, Nays - 0, Absent - 0, Excused - 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R.,

Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Loven, Wang, Wineberry, Winsley, Wood, Wynne, Zellinsky - 93.

Excused: Representatives Basich, Hargrove, Padden, Wilson, and Mr. Speaker - 05.

Substitute House Bill No. 1511 as amended by the Senate, having received the constitutional majority, was declared passed.

#### SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced he was signing:  
SUBSTITUTE HOUSE BILL NO. 1511.

The Speaker (Mr. O'Brien presiding) called on Representative R. Meyers to preside.

#### MOTION

Mr. Ebersole moved that the House immediately consider House Joint Memorial No. 4005, House Joint Memorial No. 4017 and Senate Joint Memorial No. 8015 on the regular second reading calendar. The motion was carried.

HOUSE JOINT MEMORIAL NO. 4005, by Representatives Bray, Edmondson, Ludwig, Lisk, Rayburn, Grant, Orr, Neher, Nealey, Riley, Prince, Inslee and Hochstatter

Requesting Congress to create a HAMMER training center at Hanford.

The memorial was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Mr. Bray spoke in favor of passage of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4005, and the memorial passed the House by the following vote: Yeas - 93, Nays - 0, Absent - 0, Excused - 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden,

Orr, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wineberry, Winsley, Wood, Wynne, Zellinsky - 93.

Excused: Representatives Basich, Hargrove, Padden, Wilson, and Mr. Speaker - 05.

House Joint Memorial No. 4005, having received the constitutional majority, was declared passed.

HOUSE JOINT MEMORIAL NO. 4017, by Representatives Wynne, Ebersole, Ballard, R. Johnson, Betrozoff, Fraser, Fuhrman, Wang, Belcher, Ferguson, May, Holland, Hargrove, Rasmussen, Zellinsky, R. King, Miller, Brough, Mitchell, Former and Spanel

Requesting a presidential disaster declaration.

The memorial was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Representatives Wynne, R. Johnson and Brough spoke in favor of passage of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4017, and the memorial passed the House by the following vote: Yeas - 93, Nays - 0, Absent - 0, Excused - 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wineberry, Winsley, Wood, Wynne, Zellinsky - 93.

Excused: Representatives Basich, Hargrove, Padden, Wilson, and Mr. Speaker - 05.

House Joint Memorial No. 4017, having received the constitutional majority, was declared passed.

SENATE JOINT MEMORIAL NO. 8015, by Senators Vognild, Patterson, Gaspard, Hayner, Snyder, Newhouse, Anderson and McMullen.

Concerning an international nautical convention.

The memorial was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Ms. R. Fisher spoke in favor of passage of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 8015, and the memorial passed the House by the following vote: Yeas - 93, Nays - 0, Absent - 0, Excused - 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Beck, Belcher, Berozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Loven, Wang, Wineberry, Winsley, Wood, Wynne, Zellinsky - 93.

Excused: Representatives Basich, Hargrove, Padden, Wilson, and Mr. Speaker - 05.

Senate Joint Memorial No. 8015, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1023 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1023, by Representatives Peery, Brough, G. Fisher, Heavey, Basich, Wineberry, H. Myers, Phillips, R. Johnson, Sprenkle, Spanel, Sheldon, Wood, Ogden, Rayburn, Jones, Prentice, Kremen, Leonard, Inslee, Bray, Dorn, Cantwell, Jacobsen, Valle, Roland, Hine, Winsley, Rasmussen and Brekke; by request of Governor Gardner

Enhancing student performance.

The bill was read the second time. On motion of Mr. Peery, Substitute House Bill No. 1023 was substituted for House Bill No. 1023, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1023 was read the second time.

Mr. Pruitt moved adoption of the following amendment by Representatives Pruitt and Peery:

On page 4, line 9, after "attitudes" insert "necessary for their roles as citizens and potential competitors in the economic marketplace and in the marketplace of ideas"

Mr. Pruitt spoke in favor of adoption of the amendment, and it was adopted.

Ms. Brough moved adoption of the following amendment by Representatives Brough, Holland, Ballard and Betzoff:

On page 19, after line 10, strike all material down to and including "twelve." on line 22 and insert:

~~"(e) Commencing with the 1988-89 school year, the formula adopted by the legislature shall reflect the following ratios at a minimum: (i) Forty nine certificated instructional staff to one thousand annual average full time equivalent students enrolled in grades kindergarten through three; (ii) forty six certificated instructional staff to one thousand annual average full time equivalent students in grades four through twelve; (iii) four certificated administrative staff to one thousand annual average full time equivalent students in grades kindergarten through twelve; and (iv) sixteen and sixty seven one-hundredths classified personnel to one thousand annual average full time equivalent students enrolled in grades kindergarten through twelve.) The formula adopted by the legislature for the 1991-92 school year shall reflect the following ratios at a minimum: (i) Fifty-seven certificated instructional and administrative staff to one thousand annual average full time equivalent students enrolled in grades kindergarten through three; (ii) fifty-one certificated instructional and administrative staff to one thousand annual average full time equivalent students enrolled in grades four through twelve; and (iii) seventeen classified personnel to one thousand annual average full time equivalent students enrolled in grades kindergarten through twelve.~~

(c) The formula adopted by the legislature for the 1992-93 school year shall reflect the following ratios at a minimum: (i) Fifty-eight certificated instructional and administrative staff to one thousand annual average full time equivalent students enrolled in grades kindergarten through three; (ii) fifty-two certificated instructional and administrative staff to one thousand annual average full time equivalent students enrolled in grades four through twelve; and (iii) eighteen classified personnel to one thousand annual average full time equivalent students enrolled in grades kindergarten through twelve.

(d) The formula adopted by the legislature for the 1993-94 school year shall reflect the following ratios at a minimum: (i) Fifty-nine certificated instructional and administrative staff to one thousand annual average full time equivalent students enrolled in grades kindergarten through three; (ii) fifty-three certificated instructional and administrative staff to one thousand annual average full time equivalent students enrolled in grades four through twelve; and (iii) nineteen classified personnel to one thousand annual average full time equivalent students enrolled in grades kindergarten through twelve.

(e) The formula adopted by the legislature for the 1994-95 school year shall reflect the following ratios at a minimum: (i) Sixty certificated instructional and administrative staff to one thousand annual average full time equivalent students enrolled in grades kindergarten through three; (ii) fifty-four certificated instructional and administrative staff to one thousand annual average full time equivalent students enrolled in grades four through twelve; and (iii) twenty classified personnel to one thousand annual average full time equivalent students enrolled in grades kindergarten through twelve.

(f) Commencing with the 1995-96 school year, the formula adopted by the legislature shall reflect the following ratios at a minimum: (i) Sixty-one certificated instructional and administrative staff to one thousand annual average full time equivalent students enrolled in grades kindergarten through three; (ii) fifty-five certificated instructional and administrative staff to one thousand annual average full time equivalent students enrolled in grades four through twelve; and (iii) twenty classified personnel to

one thousand annual average full time equivalent students enrolled in grades kindergarten through twelve."

Ms. Brough spoke in favor of adoption of the amendment, and Mr. Peery spoke against it.

Ms. P. Johnson demanded an electric roll call vote, and the demand was sustained.

Representatives Sprenkle, Pruitt and Ebersole spoke against the amendment, and Representatives Betrozoff and McLean spoke in favor of it. Ms. Brough again spoke in favor of the amendment.

Mr. Zellinsky demanded the previous question, and the demand was sustained.

### ROLL CALL

The Clerk called the roll on adoption of the amendment on page 19, after line 10, by Representative Brough and others to Substitute House Bill No. 1023, and the amendment was not adopted by the following vote: Yeas - 39, Nays - 54, Absent - 0, Excused - 5.

Voting yea: Representatives Appelwick, Ballard, Beck, Betrozoff, Bowman, Broback, Brough, Brumsickle, Casada, Chandler, Edmondson, Ferguson, Forner, Fuhrman, Hochstatter, Holland, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Paris, Prince, Schmidt, Silver, Sommers, D., Tate, Vance, Van Luven, Winsley, Wood, Wynne - 39.

Voting nay: Representatives Anderson, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Haugen, Heavey, Hine, Insee, Jacobsen, Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Valle, Wang, Wineberry, Zellinsky - 54.

Excused: Representatives Basich, Hargrove, Padden, Wilson, and Mr. Speaker - 05.

The Clerk read the following amendment by Representatives Brough, Holland, Ballard and Betrozoff:

On page 20, after line 28, strike all material down to and including "~~excellence:))~~" on page 21, line 24 and insert:

"(4) Until September 1, 1995, each ((Each)) annual average full time equivalent certificated classroom teacher's direct classroom contact hours shall average at least twenty-five hours per week. Direct classroom contact hours shall be exclusive of time required to be spent for preparation, conferences, or any other nonclassroom instruction duties. Up to two hundred minutes per week may be deducted from the twenty-five contact hour requirement, at the discretion of the school district board of directors, to accommodate authorized teacher/parent-guardian conferences, recess, passing time between classes, and informal instructional activity. Implementing rules to be adopted by the state board of education pursuant to RCW 28A.150.220(6) shall provide that compliance with the direct contact hour requirement shall be based upon teachers' normally assigned weekly instructional schedules, as assigned by the district



sustained.

Mr. Neher spoke in favor of the amendment.

### ROLL CALL

The Clerk called the roll on adoption of the amendment on page 24, line 5, by Representative Brumsickle and others to Substitute House Bill No. 1023, and the amendment was not adopted by the following vote: Yeas - 41, Nays - 52, Absent - 0, Excused - 5.

Voting yea: Representatives Ballard, Beck, Betrozoff, Bowman, Broback, Brough, Brumsickle, Casada, Chandler, Edmondson, Ferguson, Forner, Fuhrman, Hochstatter, Holland, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Paris, Prince, Rasmussen, Schmidt, Silver, Sommers, D., Sommers, H., Sprenkle, Tate, Vance, Van Luven, Winsley, Wood, Wynne - 41.

Voting nay: Representatives Anderson, Appelwick, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Peery, Phillips, Prentice, Pruitt, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Spanel, Valle, Wang, Wineberry, Zellinsky - 52.

Excused: Representatives Basich, Hargrove, Padden, Wilson, and Mr. Speaker - 05.

Mr. Wineberry moved adoption of the following amendment by Representatives Wineberry, Brough, Betrozoff and Peery:

On page 24, line 16, after "programs." insert "To help ensure that the commission reflects the cultural diversity of the state's K-12 student population, when making appointments the governor shall ensure that the membership on the commission closely reflects the percentage of racial minorities enrolled in the state's public K-12 school student population."

Mr. Wineberry spoke in favor of adoption of the amendment, and it was adopted.

Mr. Dorn moved adoption of the following amendment by Representatives Dorn and Brough:

On page 24, line 26 after "mathematics," insert "attitudes,"

On page 24, line 28 after "areas" strike ", including attitudes"

Representatives Dorn and Pruitt spoke in favor of adoption of the amendments, and Representatives Cole, Miller and May spoke against them.

The amendments were not adopted.

Mr. Betrozoff moved adoption of the following amendment:

On page 26, after line 14, insert:

"(h) Establish the quality schools academy. The objective of the academy shall be to advance quality school development based upon the "All Kids Can Learn" process. The academy shall provide assistance in the knowledge, accountability, and leadership

skills required in the restructuring process; oversee program evaluation and audit; provide consultation and assistance services; and perform other activities intended to advance quality school development;"

Representatives Betrozoff, Brumsickle, Broback and P. Johnson spoke in favor of adoption of the amendment, and Mr. Peery spoke against it.

The amendment was not adopted.

Mr. Vance moved adoption of the following amendments:

On page 26, line 17, after "biennium;" strike "~~and~~" and insert:

"(i) By June 30, 1994, develop a process to financially reward outstanding teachers. The commission shall report this process to the legislature. The commission shall study all issues relating to teacher compensation plans, including but not limited to the following issues:

(1) The experiences of other states that have adopted monetary incentives for teachers, including information on the successful aspects, problems, costs of development and implementation, impact on staff morale, and the recommendations of these states on the effectiveness of their programs;

(2) All current proposals, including the governor's recent building-based proposal, other building-based plans, and individual-based plans, including but not limited to career ladder plans; and

(3) Other compensation plans for teachers.

The purpose of the process to reward outstanding teachers is to encourage excellence in teaching performance and give tangible recognition to those teachers who provide classroom teaching that enhances each student's educational performance; and"

On page 26, at line 18 strike "(i)" and insert "(j)"

Mr. Vance spoke in favor of adoption of the amendments, and Mr. Peery spoke against them.

Mr. Tate demanded an electric roll call vote, and the demand was sustained.

### ROLL CALL

The Clerk called the roll on adoption of the amendments on page 26, lines 17 and 18, by Representative Vance to Substitute House Bill No. 1023, and the amendments were not adopted by the following vote: Yeas - 36, Nays - 57, Absent - 0, Excused - 5.

Voting yea: Representatives Ballard, Beck, Betrozoff, Bowman, Broback, Brough, Brumsickle, Casada, Chandler, Edmondson, Ferguson, Forner, Fuhrman, Hochstatter, Holland, Horn, Johnson P., Lisk, May, McLean, Mielke, Mitchell, Morton, Moyer, Nealey, Neher, Paris, Prince, Schmidt, Silver, Sommers, D., Tate, Vance, Van Luven, Wood, Wynne - 36.

Voting nay: Representatives Anderson, Appelwick, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Haugen, Heavey, Hine, Insee, Jacobsen, Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, Meyers, R., Miller, Morris, Myers, H., Nelson, O'Brien, Ogen, Orr, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Valle, Wang, Wineberry, Winsley, Zellinsky - 57.

Excused: Representatives Basich, Hargrove, Padden, Wilson, and Mr. Speaker - 05.

Mr. Wang moved adoption of the following amendment by Representatives Wang, Brough and Peery:

On page 27, line 11, after "1985 c 349 s 6;" strike "and" and insert:

"(2) RCW 28A.320.200 and 1990 c 33 s 333, 1989 c 83 s 1, 1988 c 256 s 2, & 1985 c 349 s 2; and"

Renumber remaining subsections and correct internal references accordingly.

Representatives Wang and Peery spoke in favor of adoption of the amendment, and Representatives Berozoff and Neher spoke against it. Mr. Wang again spoke in favor of the amendment.

The amendment was adopted.

With consent of the House, the following amendment by Representatives Wang, Brough and Peery to the title was adopted:

On page 1, line 6 of the title, after "28A.305.140," insert "28A.320.200,"

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Peery, Brough, Pruitt, Berozoff and Locke spoke in favor of passage of the bill.

Mr. Zellinsky demanded the previous question, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1023, and the bill passed the House by the following vote: Yeas - 92, Nays - 1, Absent - 0, Excused - 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Beck, Belcher, Berozoff, Bowman, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wineberry, Winsley, Wood, Wynne, Zellinsky - 92.

Voting nay: Representative Braddock - 01.

Excused: Representatives Basich, Hargrove, Padden, Wilson, and Mr. Speaker - 05.

Engrossed Substitute House Bill No. 1023, having received the constitutional majority, was declared passed.

The Speaker (Mr. R. Meyers presiding) called on Representative O'Brien to preside.

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

MOTION

On motion of Mr. Ebersole, House Bill No. 2011 was referred from Committee on Judiciary to Committee on Health Care.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Monday, March 4, 1991.

ALAN THOMPSON, Chief Clerk

JOSEPH E. KING, Speaker

## FIFTIETH DAY

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### MORNING SESSION

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House Chamber, Olympia, Monday, March 4, 1991

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Appelwick, Brekke, Cantwell, Ferguson, Locke, Riley, Schmidt, Silver, H. Sommers and Wilson. On motion of Ms. Cole, Representatives Appelwick, Cantwell, Locke and Riley were excused. On motion of Ms. Casada, Representatives Ferguson, Schmidt, Silver and Wilson were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Diane Hale and Brian Anderson. Prayer was offered by The Reverend Cecil Thompson, Minister of Summit Lake Community Church.

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

### MESSAGE FROM THE SENATE

March 1, 1991

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5030,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5126,  
SENATE BILL NO. 5310,

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

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

### INTRODUCTIONS AND FIRST READING

HB 2156 by Representatives Anderson, Bowman, Pruitt, Ludwig, Brekke, Van Luven, Moyer, Ferguson, D. Sommers, Chandler, Hine, Mitchell, Hochstatter, Winsley, Rasmussen and Brough

AN ACT Relating to the disclosure of information from public records by state and local agencies; amending RCW 42.17.310 and 42.17.311; adding a new section to chapter 29.36 RCW; adding a new section to chapter 42.17 RCW; adding a new chapter to Title 40 RCW; and declaring an emergency.

Referred to Committee on State Government.

HB 2157 by Representatives Mielke, Zellinsky and Van Luven

AN ACT Relating to the cancellation of or refusal to renew property insurance policies because of submitting claims as a result of criminal acts; adding a new section to chapter 48.18 RCW; and adding new sections to chapter 48.27 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 2158 by Representatives Haugen and Ferguson

AN ACT Relating to city or town electrical inspectors; and reenacting and amending RCW 19.28.010.

Referred to Committee on Local Government.

HB 2159 by Representatives Morris and R. King

AN ACT Relating to sturgeon; adding new sections to chapter 75.12 RCW; and creating a new section.

Referred to Committee on Fisheries & Wildlife.

HB 2160 by Representatives Prince, Locke, Betrozoff, Prentice, Day, Heavey, Cantwell, R. Meyers, Zellinsky, Wood, Nelson, Leonard, Miller and Van Luven

AN ACT Relating to vehicle license, registration, and title fees; amending RCW 46.01.140; and adding a new section to chapter 46.04 RCW.

Referred to Committee on Transportation.

HB 2161 by Representatives Franklin, Ebersole, Winsley, Ogden, Mitchell, Nelson, Leonard, Braddock, Ballard, Orr, Jones, Cole, Rasmussen and Anderson

AN ACT Relating to the public housing trust fund; and amending RCW 43.185.010, 43.185.050, and 43.185.070.

Referred to Committee on Housing.

HB 2162 by Representatives Hochstatter, Chandler, Lisk, Van Luven, Casada, Bowman, P. Johnson, Vance, Ferguson, Tate, Moyer, Morton and D. Sommers

AN ACT Relating to employer liability; amending RCW 51.16.120; adding a new section to chapter 50.20 RCW; and adding a new section to chapter 50.32 RCW.

Referred to Committee on Commerce & Labor.

HB 2163 by Representatives Orr, Rasmussen, Wineberry, Bray, Dorn, R. Meyers, Dellwo, R. King, Ferguson and Anderson

AN ACT Relating to assault of wildlife agents and other law enforcement officers; and adding a new section to chapter 77.16 RCW.

Referred to Committee on Fisheries & Wildlife.

HB 2164 by Representative Roland

AN ACT Relating to Washington citizens serving in the Middle East conflict; adding new sections to chapter 43.60A RCW; adding a new section to chapter 43.131 RCW; creating a new section; and declaring an emergency.

Referred to Committees on State Government/Appropriations.

SSB 5030 by Senate Committee on Law & Justice (originally sponsored by Senators Nelson, Talmadge and Thorsness)

Prohibiting the unauthorized reproduction or recording of material.

Referred to Committee on Judiciary.

ESSB 5126 by Senate Committee on Law & Justice (originally sponsored by Senators Nelson, Madsen, Patterson, Rasmussen, Thorsness, Hayner, Johnson, A. Smith, Jesernig and L. Smith)

Authorizing the use of pen registers.

Referred to Committee on Judiciary.

SB 5310 by Senators L. Smith, Bauer, Barr, Sutherland, Saling, Craswell, McCaslin and Johnson

Limiting actions to enforce tax liability for other states' income tax.

Referred to Committee on Revenue.

#### MOTION

On motion of Mr Dorn, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

## REPORTS OF STANDING COMMITTEES

February 28, 1991

HB 1108 Prime Sponsor, Representative Jones: Exempting certain individuals from college tuition and fees. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute House Bill No. 1108 be substituted therefor, and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; Basich; Fraser; Ludwig; Miller; Prince; Sheldon; and Van Luvan.

MINORITY recommendation: Without recommendation. Signed by Representatives May, Assistant Ranking Minority Member; and Spanel.

Excused: Representative Dellwo.

Referred to Committee on Appropriations.

February 28, 1991

HB 1177 Prime Sponsor, Representative Holland: Clarifying school district boards of directors' responsibilities. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 3, after "(2)" strike all material through "(3))" on line 27, and insert "In conformance with the provisions of Title 28A RCW, as now or hereafter amended, it shall be the responsibility of each common school district board of directors (~~acting through its respective administrative staff,~~) to adopt policies to:

(a) Establish performance criteria and an evaluation process for its certificated personnel, including administrative staff, and for all programs constituting a part of such district's curriculum;

(b) Determine the final assignment of staff, certificated or classified, according to board enumerated classroom and program needs;

(c) Determine the amount of instructional hours necessary for any student to acquire a quality education in such district, in not less than an amount otherwise required in RCW 28A.150.220, or rules and regulations of the state board of education;

(d) Determine the allocation of staff time, whether certificated or classified;

(e) Establish final curriculum standards consistent with law and rules and regulations of the state board of education, relevant to the particular needs of district students or the unusual characteristics of the district, and ensuring a quality education for each student in the district; and

(f) Evaluate teaching materials, including text books, teaching aids, handouts, or other printed material, in public hearing upon complaint by parents, guardians or custodians of students who consider dissemination of such material to students objectionable.

(3)

Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member;

Betrozoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1180 Prime Sponsor, Representative Cole: Licensing private security guards. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1180 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Excused: Representatives O'Brien and Wilson.

Referred to Committee on Appropriations.

February 26, 1991

HB 1181 Prime Sponsor, Representative Cole: Licensing private detectives. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1181 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Excused: Representative O'Brien and Wilson.

Referred to Committee on Appropriations.

February 28, 1991

HB 1352 Prime Sponsor, Representative Jones: Making confidential certain information acquired by the department of labor and industries. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; and Vance.

Excused: Representative Wilson.

Passed to Committee on Rules for second reading.

February 28, 1991

HB 1365 Prime Sponsor, Representative Phillips: Requiring course work to help work with students from diverse backgrounds a requirement for teacher certification. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1365 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betzoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Passed to Committee on Rules for second reading.

February 27, 1991

HB 1434 Prime Sponsor, Representative Hine: Providing limitations on campaign contributions, voluntary limitations on campaign spending, and partial public financing of campaigns. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 1434 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; R. Fisher; Grant; O'Brien; and Sheldon.

MINORITY recommendation: Do not pass. Signed by Representatives Bowman, Assistant Ranking Minority Member; Chandler; and Moyer.

Passed to Committee on Rules for second reading.

February 28, 1991

HB 1476 Prime Sponsor, Representative Wineberry: Modifying the employer-assisted child and family care partnership. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: That Substitute House Bill No. 1476 be substituted therefor, and the substitute bill do pass. Signed by Representatives Cantwell, Chair; Sheldon, Vice Chair; Forner, Ranking Minority Member; Betzoff, Assistant Ranking Minority Member; Ferguson; Kremen; Ludwig; Moyer; Rasmussen; Riley; and Roland.

Excused: Representative Ludwig.

Referred to Committee on Appropriations.

February 28, 1991

HB 1570 Prime Sponsor, Representative Jones: Imposing requirements on businesses that receive public assistance. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; and Vance.

Voting nay: Representatives Fuhrman, Ranking Minority Member; and Vance.

Excused: Representative Wilson.

Passed to Committee on Rules for second reading.

February 28, 1991

HB 1599 Prime Sponsor, Representative Basich: Providing extended unemployment benefits for certain lumber and wood products workers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1599 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; and Vance.

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

Voting nay: Representatives Fuhrman, Ranking Minority Member; and Vance.

Excused: Representative Wilson.

Referred to Committee on Appropriations.

February 28, 1991

HB 1608 Prime Sponsor, Representative Leonard: Improving services for children. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1608 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Anderson; Brekke; R. King; and H. Myers.

MINORITY recommendation: Do not pass. Signed by Representatives Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Beck; and Hochstatter.

Excused: Representative Hargrove.

Referred to Committee on Appropriations.

February 28, 1991

HB 1628 Prime Sponsor, Representative Heavey: Concerning pasteurization in relation to licenses for the sale of beer. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1628 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; and Vance.

Excused: Representative Wilson.

Passed to Committee on Rules for second reading.

February 28, 1991

HB 1655 Prime Sponsor, Representative Heavey: Providing for state employee collective bargaining. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1655 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; Prentice; and Vance.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; and Lisk, Assistant Ranking Minority Member.

Excused: Representative Wilson.

Passed to Committee on Rules for second reading.

February 27, 1991

HB 1670 Prime Sponsor, Representative Belcher: Changing provisions relating to growth strategies. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute House Bill No. 1670 be substituted therefor, and the substitute bill do pass. Signed by Representatives Belcher, Chair; Scott, Vice Chair; Dellwo; Fraser; Hargrove; Riley; and Sheldon.

MINORITY recommendation: Without recommendation. Signed by Representatives Beck, Ranking Minority Member; Brumsickle, Assistant Ranking Minority Member; Morton; and Wynne.

Referred to Committee on Appropriations.

February 28, 1991

HB 1674 Prime Sponsor, Representative Orr: Freezing tuition and fees at 1990 rates for Persian Gulf veterans. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Basich; Fraser; Ludwig; Miller; Prince; Sheldon; Spanel; and Van Luven.

Excused: Representative Dellwo.

Referred to Committee on Appropriations.

February 28, 1991

HB 1678 Prime Sponsor, Representative Anderson: Including psychologists' services in medical assistance available to medical assistance recipients. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hochstatter; R. King; and H. Myers.

Excused: Representative Hargrove.

Referred to Committee on Appropriations.

February 27, 1991

HB 1686 Prime Sponsor, Representative Hargrove: Creating an incentive program for inmates. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1686 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Referred to Committee on Capital Facilities & Financing.

March 1, 1991

HB 1708 Prime Sponsor, Representative Cantwell: Revising provisions for employee cooperative corporations. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Cantwell, Chair; Sheldon, Vice Chair; Forner, Ranking Minority Member; Betrozoff, Assistant Ranking Minority Member; Ferguson; Kremen; Ludwig; Moyer; Rasmussen; Riley; and Roland.

Excused: Representative Rasmussen.

Passed to Committee on Rules for second reading.

February 28, 1991

HB 1714 Prime Sponsor, Representative Riley: Providing support for families in timber communities. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1714 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hochstatter; R. King; and H. Myers.

Excused: Representative Hargrove.

Referred to Committee on Appropriations.

March 1, 1991

HB 1744 Prime Sponsor, Representative Heavey: Revising the definition of reasonable assurance for unemployment insurance. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; and Vance.

Excused: Representatives O'Brien and Wilson.

Referred to Committee on Appropriations.

February 28, 1991

HB 1755 Prime Sponsor, Representative Braddock: Revising provisions for registration of architects. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; O'Brien; and Prentice.

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

Excused: Representative Wilson.

Passed to Committee on Rules for second reading.

February 27, 1991

HB 1812 Prime Sponsor, Representative Riley: Adopting the woodland stewardship assistance act. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; Scott, Vice Chair; Beck, Ranking Minority Member; Brumsickle, Assistant Ranking Minority Member; Dellwo; Fraser; Hargrove; Morton; Riley; Sheldon; and Wynne.

Passed to Committee on Rules for second reading.

February 26, 1991

HB 1815 Prime Sponsor, Representative Heavey: Regulating pawnbrokers and second-hand dealers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1815 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; and Vance.

Excused: Representative Wilson.

Passed to Committee on Rules for second reading.

February 28, 1991

HB 1832 Prime Sponsor, Representative Wang: Limiting the state's insurance retaliatory provision. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1832 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Appelwick; Belcher; Day; Leonard; Morris; Phillips; and Rust.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Brumsickle; Morton; Silver; and Van Luven.

Passed to Committee on Rules for second reading.

February 28, 1991

HB 1833 Prime Sponsor, Representative Wang: Eliminating insurance premium tax credits. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1833 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Appelwick; Belcher; Leonard; Morris; Phillips; and Rust.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Brumsickle; Day; Morton; Silver; and Van Luven.

Passed to Committee on Rules for second reading.

February 28, 1991

HB 1857 Prime Sponsor, Representative Riley: Revising provisions relating to the hardwood commission. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: That Substitute House Bill No. 1857 be substituted therefor, and the substitute bill do pass. Signed by Representatives Cantwell, Chair; Sheldon, Vice Chair; Former, Ranking Minority Member; Betzoff, Assistant Ranking Minority Member; Ferguson; Kremen; Ludwig; Moyer; Rasmussen; Riley; and Roland.

Excused: Representative Ludwig.

Referred to Committee on Revenue.

February 28, 1991

HB 1909 Prime Sponsor, Representative Dellwo: Increasing the capital and surplus requirements of insurance companies. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute House Bill No. 1909 be substituted therefor, and the substitute bill do pass. Signed by Representatives

Zellinsky, Vice Chair; Broback, Ranking Minority Member; Anderson; Dorn; Inslee; R. Johnson; R. Meyers; Paris; Schmidt; Scott; and Winsley.

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

Excused: Representative Dellwo, Chair.

Passed to Committee on Rules for second reading.

February 28, 1991

HB 1910 Prime Sponsor, Representative Dellwo: Making medicare supplemental insurance conform to federal law. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Zellinsky, Vice Chair; Broback, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Anderson; Dorn; Inslee; R. Johnson; R. Meyers; Paris; Schmidt; Scott; and Winsley.

Excused: Representative Dellwo, Chair.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1938 Prime Sponsor, Representative Fraser: Creating a state-wide 911 network. Reported by Committee on Energy & Utilities

MAJORITY recommendation: That Substitute House Bill No. 1938 be substituted therefor, and the substitute bill do pass. Signed by Representatives Grant, Chair; , Chair; H. Myers, Vice Chair; May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Bray; Casada; Cooper; R. Fisher; Jacobsen; Miller; and Rayburn.

Excused: Representative Cooper.

Referred to Committee on Revenue.

February 28, 1991

HB 1957 Prime Sponsor, Representative Rayburn: Requiring licensing of food processing plants. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: That Substitute House Bill No. 1957 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Nealey, Ranking Minority Member; P. Johnson, Assistant Ranking Minority Member; Grant; R. Johnson; Lisk; McLean; Rasmussen; and Roland.

MINORITY recommendation: Do not pass. Signed by Representative Kremen, Vice Chair.

Excused: Representatives Chandler and Grant.

Passed to Committee on Rules for second reading.

February 28, 1991

HB 2006 Prime Sponsor, Representative Sheldon: Funding work force training and education. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: That Substitute House Bill No. 2006 be substituted therefor, and the substitute bill do pass. Signed by Representatives Cantwell, Chair; Sheldon, Vice Chair; Former, Ranking Minority Member; Betrozoff, Assistant Ranking Minority Member; Ferguson; Kremen; Ludwig; Moyer; Rasmussen; Riley; and Roland.

Excused: Representative Ludwig.

Referred to Committee on Appropriations.

February 28, 1991

HB 2027 Prime Sponsor, Representative Ballard: Providing for refund of or credit toward new enrollment for higher education costs for students deployed because of the Gulf war. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute House Bill No. 2027 be substituted therefor, and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Basich; Fraser; Ludwig; Miller; Prince; Sheldon; Spanel; and Van Luven.

Excused: Representative Dellwo.

Referred to Committee on Appropriations.

February 28, 1991

HB 2030 Prime Sponsor, Representative Spanel: Requiring information on and repealing various higher education tuition and fee waivers, reduced fees, and residency exemptions. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute House Bill No. 2030 be substituted therefor, and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May,

Assistant Ranking Minority Member; Basich; Fraser; Ludwig; Miller; Prince; Sheldon; Spanel; and Van Luven.

Excused: Representative Dellwo.

Referred to Committee on Appropriations.

February 28, 1991

HB 2048 Prime Sponsor, Representative Moyer: Lowering licensing fees for older physicians. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 2048 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

Passed to Committee on Rules for second reading.

February 28, 1991

HB 2128 Prime Sponsor, Representative Cole: Requiring the director of labor and industries to adopt health and safety standards that address the office environment. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 2128 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; and Vance.

Excused: Representative Wilson.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Dorn, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

## SECOND READING

## MOTION

Mr. Dorn moved that the House immediately consider House Bill No. 1195 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1195, by Representatives Bray, Ferguson, Nealey, Rayburn, Haugen, Ludwig, Grant, Neher and Wynne

Authorizing irrigation districts to establish consolidated local improvement districts.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Bray spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1195, and the bill passed the House by the following vote: Yeas - 88, Nays - 0, Absent - 2, Excused - 8.

Voting yea: Representatives Anderson, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Scott, Sheldon, Sommers, D., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 88.

Absent: Representatives Brekke, Sommers, H. - 02.

Excused: Representatives Appelwick, Cantwell, Ferguson, Locke, Riley, Schmidt, Silver, Wilson - 08.

House Bill No. 1195, having received the constitutional majority, was declared passed.

Representative Schmidt appeared at the bar of the House.

HOUSE BILL NO. 1199, by Representatives Haugen, Ferguson, Cooper, Nealey, Appelwick, Wang, Horn, Prince and Scott

Authorizing local law and justice councils.

The bill was read the second time. On motion of Mr. Cooper, Substitute House Bill No. 1199 was substituted for House Bill No. 1199, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1199 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Haugen spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1199, and the bill passed the House by the following vote: Yeas - 89, Nays - 0, Absent - 2, Excused - 7.

Voting ye: Representatives Anderson, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Sheldon, Sommers, D., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 89.

Absent: Representatives Brekke, Sommers, H. - 02.

Excused: Representatives Appelwick, Cantwell, Ferguson, Locke, Riley, Silver, Wilson - 07.

Substitute House Bill No. 1199, having received the constitutional majority, was declared passed.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker called the House to order.

Representatives Appelwick, Brekke, Cantwell, Ferguson, Locke, Silver, H. Sommers and Wilson appeared at the bar of the House:

### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1304 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1304, by Representatives Valle, Horn, Rust, D. Sommers, Paris, Forner, Brekke, May and Wineberry

Requiring recycling at parks, marinas, and airports.

The bill was read the second time: On motion of Ms. Rust, Substitute House Bill No. 1304 was substituted for House Bill No. 1304, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1304 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Valle and Horn spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1304, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Riley - 01.

Substitute House Bill No. 1304, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1391, by Representatives Paris, Beck, Sheldon, Wood, Riley, Roland, R. Johnson, Franklin, Ludwig, Hochstatter, Chandler, Ballard, Forner, Casada, Brumsickle, Mielke, Padden, Mitchell, Morton, Broback, Betzoff and Basich

Prescribing penalties for violations of laws requiring motor vehicle liability insurance.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Paris spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1391, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Riley - 01.

House Bill No. 1391, having received the constitutional majority, was declared passed.

## MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1234 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1234, by Representatives Anderson, Miller, Appelwick, Wineberry, Paris, Scott, Hargrove, Ludwig, D. Sommers, Broback, R. Meyers, Belcher, Prince, H. Myers, Riley, Locke, Forner, Ballard, Ferguson, Horn, Dellwo, Wang, Roland, R. Johnson, O'Brien, Jacobsen, R. Fisher, Phillips, Ogden, Rasmussen, Leonard and Cooper

Prohibiting the execution of the mentally retarded.

The bill was read the second time. On motion of Mr. Appelwick, Substitute House Bill No. 1234 was substituted for House Bill No. 1234, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1234 was read the second time.

Mr. Padden moved adoption of the following amendment by Representatives Padden and Ludwig:

On page 1, beginning on line 5, strike everything after the enacting clause and insert the following:

Sec. 1. RCW 9.94A.440 and 1989 c 332 s 2 are each amended to read as follows: 9.94.A.440 Evidentiary sufficiency. (1) Decision not to prosecute.

STANDARD: A prosecuting attorney may decline to prosecute, even though technically sufficient evidence to prosecute exists, in situations where prosecution would serve no public purpose, would defeat the underlying purpose of the law in question or would result in decreased respect for the law.

## GUIDELINE/COMMENTARY:

## Examples

The following are examples of reasons not to prosecute which could satisfy the standard.

(a) **Contrary to Legislative Intent** - It may be proper to decline to charge where the application of criminal sanctions would be clearly contrary to the intent of the legislature in enacting the particular statute.

(b) **Antiquated Statute** - It may be proper to decline to charge where the statute in question is antiquated in that:

- (i) It has not been enforced for many years; and
- (ii) Most members of society act as if it were no longer in existence; and
- (iii) It serves no deterrent or protective purpose in today's society; and
- (iv) The statute has not been recently reconsidered by the legislature.

This reason is not to be construed as the basis for declining cases because the law in question is unpopular or because it is difficult to enforce.

(c) **De Minimus Violation** - It may be proper to decline to charge where the violation of law is only technical or insubstantial and where no public interest or deterrent purpose would be served by prosecution.

(d) **Confinement on Other Charges** - It may be proper to decline to charge because the accused has been sentenced on another charge to a lengthy period of confinement; and

(i) Conviction of the new offense would not merit any additional direct or collateral punishment;

(ii) The new offense is either a misdemeanor or a felony which is not particularly aggravated; and

(iii) Conviction of the new offense would not serve any significant deterrent purpose.

(e) **Pending Conviction on Another Charge** - It may be proper to decline to charge because the accused is facing a pending prosecution in the same or another county; and

(i) Conviction of the new offense would not merit any additional direct or collateral punishment;

(ii) Conviction in the pending prosecution is imminent;

(iii) The new offense is either a misdemeanor or a felony which is not particularly aggravated; and

(iv) Conviction of the new offense would not serve any significant deterrent purpose.

(f) **High Disproportionate Cost of Prosecution** - It may be proper to decline to charge where the cost of locating or transporting, or the burden on, prosecution witnesses is highly disproportionate to the importance of prosecuting the offense in question. This reason should be limited to minor cases and should not be relied upon in serious cases.

(g) **Improper Motives of Complainant** - It may be proper to decline charges because the motives of the complainant are improper and prosecution would serve no public purpose, would defeat the underlying purpose of the law in question or would result in decreased respect for the law.

(h) **Immunity** - It may be proper to decline to charge where immunity is to be given to an accused in order to prosecute another where the accused's information or testimony will reasonably lead to the conviction of others who are responsible for more serious criminal conduct or who represent a greater danger to the public interest.

(i) **Victim Request** - It may be proper to decline to charge because the victim requests that no criminal charges be filed and the case involves the following crimes or situations:

(i) Assault cases where the victim has suffered little or no injury;

(ii) Crimes against property, not involving violence, where no major loss was suffered;

(iii) Where doing so would not jeopardize the safety of society.

Care should be taken to insure that the victim's request is freely made and is not the product of threats or pressure by the accused.

The presence of these factors may also justify the decision to dismiss a prosecution which has been commenced.

#### Notification

The prosecutor is encouraged to notify the victim, when practical, and the law enforcement personnel, of the decision not to prosecute.

(2) Decision to prosecute.

#### STANDARD:

Crimes against persons will be filed if sufficient admissible evidence exists, which, when considered with the most plausible, reasonably foreseeable defense that could be raised under the evidence, would justify conviction by a reasonable and objective fact-finder. With regard to offenses prohibited by RCW 9A.44.040, 9A.44.050, 9A.44.073, 9A.44.076, 9A.44.079, 9A.44.083, 9A.44.086, 9A.44.089, and 9A.64.020 the prosecutor should avoid pre-filing agreements or diversions intended to place the accused in a program of treatment or counseling, so that treatment, if determined to be beneficial, can be provided pursuant to RCW 9.94A.120(7).

Crimes against property/other crimes will be filed if the admissible evidence is of such convincing force as to make it probable that a reasonable and objective fact-finder would convict after hearing all the admissible evidence and the most plausible defense that could be raised.

See table below for the crimes within these categories.

### CATEGORIZATION OF CRIMES FOR PROSECUTING STANDARDS

#### CRIMES AGAINST PERSONS

Aggravated Murder  
 1st Degree Murder  
 2nd Degree Murder  
 1st Degree Kidnaping  
 1st Degree Assault  
 1st Degree Rape  
 1st Degree Robbery  
 1st Degree Rape of a Child  
 1st Degree Arson  
 2nd Degree Kidnaping  
 2nd Degree Assault  
 2nd Degree Rape  
 2nd Degree Robbery  
 1st Degree Burglary  
 1st Degree Manslaughter  
 2nd Degree Manslaughter  
 1st Degree Extortion  
 Indecent Liberties  
 Incest  
 2nd Degree Rape of a Child  
 Vehicular Homicide  
 Vehicular Assault  
 3rd Degree Rape  
 3rd Degree Rape of a Child  
 1st Degree Child Molestation  
 2nd Degree Child Molestation

3rd Degree Child Molestation  
 2nd Degree Extortion  
 1st Degree Promoting Prostitution  
 Intimidating a Juror  
 Communication with a Minor  
 Intimidating a Witness  
 Intimidating a Public Servant  
 Bomb Threat (if against person)  
 3rd Degree Assault  
 Unlawful Imprisonment  
 Promoting a Suicide Attempt  
 Riot (if against person)

#### CRIMES AGAINST PROPERTY/OTHER CRIMES

2nd Degree Arson  
 1st Degree Escape  
 2nd Degree Burglary  
 1st Degree Theft  
 1st Degree Perjury  
 1st Degree Introducing Contraband  
 1st Degree Possession of Stolen Property  
 Bribery  
 Bribing a Witness  
 Bribe received by a Witness  
 Bomb Threat (if against property)  
 1st Degree Malicious Mischief  
 2nd Degree Theft  
 2nd Degree Escape  
 2nd Degree Introducing Contraband  
 2nd Degree Possession of Stolen Property  
 2nd Degree Malicious Mischief  
 1st Degree Reckless Burning  
 Taking a Motor Vehicle without Authorization  
 Forgery  
 2nd Degree Perjury  
 2nd Degree Promoting Prostitution  
 Tampering with a Witness  
 Trading in Public Office  
 Trading in Special Influence  
 Receiving/Granting Unlawful Compensation  
 Bigamy  
 Eluding a Pursuing Police Vehicle  
 Willful Failure to Return from Furlough  
 Riot (if against property)  
 Thefts of Livestock

#### ALL OTHER UNCLASSIFIED FELONIES

Selection of Charges/Degree of Charge

(1) The prosecutor should file charges which adequately describe the nature of defendant's conduct. Other offenses may be charged only if they are necessary to ensure that the charges:

- (a) Will significantly enhance the strength of the state's case at trial; or
- (b) Will result in restitution to all victims.

(2) The prosecutor should not overcharge to obtain a guilty plea. Overcharging includes:

- (a) Charging a higher degree;
- (b) Charging additional counts.

This standard is intended to direct prosecutors to charge those crimes which demonstrate the nature and seriousness of a defendant's criminal conduct, but to decline to charge crimes which are not necessary to such an indication. Crimes which do not merge as a matter of law, but which arise from the same course of conduct, do not all have to be charged.

(3) Decision Whether to Seek the Death Penalty for Aggravated Murder in the First Degree

When considering whether to file a notice of special sentencing proceeding to determine whether or not the death penalty should be imposed under RCW 10.95.040, the prosecuting attorney shall consider whether the person is mentally retarded, and, if so, whether the mental retardation constitutes a sufficient mitigating circumstance to merit leniency.

**GUIDELINES/COMMENTARY:**

**Police Investigation**

A prosecuting attorney is dependent upon law enforcement agencies to conduct the necessary factual investigation which must precede the decision to prosecute. The prosecuting attorney shall ensure that a thorough factual investigation has been conducted before a decision to prosecute is made. In ordinary circumstances the investigation should include the following:

- (1) The interviewing of all material witnesses, together with the obtaining of written statements whenever possible;
- (2) The completion of necessary laboratory tests; and
- (3) The obtaining, in accordance with constitutional requirements, of the suspect's version of the events.

If the initial investigation is incomplete, a prosecuting attorney should insist upon further investigation before a decision to prosecute is made, and specify what the investigation needs to include.

**Exceptions**

In certain situations, a prosecuting attorney may authorize filing of a criminal complaint before the investigation is complete if:

- (1) Probable cause exists to believe the suspect is guilty; and
- (2) The suspect presents a danger to the community or is likely to flee if not apprehended; or
- (3) The arrest of the suspect is necessary to complete the investigation of the crime.

In the event that the exception to the standard is applied, the prosecuting attorney shall obtain a commitment from the law enforcement agency involved to complete the investigation in a timely manner. If the subsequent investigation does not produce sufficient evidence to meet the normal charging standard, the complaint should be dismissed.

**Investigation Techniques**

The prosecutor should be fully advised of the investigatory techniques that were used in the case investigation including:

- (1) Polygraph testing;
- (2) Hypnosis;
- (3) Electronic surveillance;
- (4) Use of informants.

**Pre-Filing Discussions with Defendant**

Discussions with the defendant or his/her representative regarding the selection or disposition of charges may occur prior to the filing of charges, and potential agreements can be reached.

Mr. Padden spoke in favor of adoption of the amendment, and Mr. Appelwick spoke against it.

The Speaker called on Representative R. Meyers to preside.

Mr. D. Sommers demanded an electric roll call vote, and the demand was sustained.

Mr. Padden again spoke in favor of the amendment, and Mr. Inslee spoke against it. Ms. Schmidt spoke in favor of the amendment.

### ROLL CALL

The Clerk called the roll on adoption of the amendments by Representatives Padden and Ludwig to Substitute House Bill No. 1234, and the amendment was not adopted by the following vote: Yeas - 45, Nays - 52, Absent - 0, Excused - 1.

Voting yea: Representatives Ballard, Beck, Betrozoff, Bowman, Bray, Broback, Brough, Brumsickle, Casada, Chandler, Dorn, Edmondson, Ferguson, Forner, Fuhrman, Haugen, Hochstatter, Holland, Horn, Johnson P., Johnson R., Kremen, Lisk, Ludwig, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Prince, Rayburn, Schmidt, Silver, Sommers, D., Tate, Vance, Van Luven, Winsley, Wood, Wynne - 45.

Voting nay: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Brekke, Cantwell, Cole, Cooper, Day, Dellwo, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Heavey, Hine, Inslee, Jacobsen, Jones, King, R., Leonard, Locke, Meyers, R., Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Pruitt, Rasmussen, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Valle, Wang, Wilson, Wineberry, Zellinsky, and Mr. Speaker - 52.

Excused: Representative Riley - 01.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Anderson, Paris and Appelwick spoke in favor of passage of the bill, and Representatives Tate, Padden and Mielke spoke against it. Mr. Anderson again spoke in favor of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1234, and the bill passed the House by the following vote: Yeas - 67, Nays - 30, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Broback, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Grant, Hargrove, Heavey, Hine, Holland,

Inslee, Jacobsen, Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, McLean, Meyers, R., Miller, Mitchell, Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Valle, Wang, Wineberry, Winsley, Wood, Zellinsky, and Mr. Speaker - 67.

Voting nay: Representatives Ballard, Beck, Betzoff, Bowman, Brough, Brumsickle, Casada, Chandler, Edmondson, Fuhrman, Haugen, Hochstatter, Horn, Johnson P., Lisk, May, Mielke, Morton, Moyer, Nealey, Neher, Padden, Schmidt, Silver, Sommers, D., Tate, Vance, Van Luven, Wilson, Wynne - 30.

Excused: Representative Riley - 01.

Substitute House Bill No. 1234, having received the constitutional majority, was declared passed.

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

## RESOLUTION

HOUSE RESOLUTION NO. 91-4636, by Representatives Wineberry, Wynne, Ebersole, Ballard, Anderson, Appelwick, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Edmondson, Ferguson, G. Fisher, R. Fisher, Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, P. Johnson, R. Johnson, Jones, J. King, R. King, Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, R. Meyers, Mielke, Miller, Mitchell, Morris, Morton, Moyer, H. Myers, Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, D. Sommers, H. Sommers, Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Winsley, Wood, and Zellinsky

WHEREAS, President George Bush declared a cease-fire for all Allied forces in the Persian Gulf on Wednesday, February 27, 1991, thus bringing to an end the ground war with Iraq; and

WHEREAS, President Bush received communications from Saddam Hussein of Hussein's agreement to abide by all twelve United Nations resolutions; and

WHEREAS, Allied troops, including over five hundred thousand American men and women, united in their conviction to halt Saddam Hussein's unprovoked aggression against a sovereign nation, put their lives on the line to liberate Kuwait; and

WHEREAS, Over eight thousand American soldiers from Washington State, who either served in or supported Operation Desert Storm, will soon be coming home, and they deserve a warm, loving, heartfelt reception upon their return; and

WHEREAS, The brilliantly planned assault by Allied air, sea, and ground forces brought about a swift victory over Iraq, which prevented excessive casualties and deaths on both sides of the conflict; and

WHEREAS, By this victory the United States and the United Nations seek peace and security in the Middle East; and

WHEREAS, The entire nation and the people of Washington State salute and acknowledge the sacrifice, bravery, and dedication displayed by our troops during Operation Desert Storm; and

WHEREAS, Every level of government and the private sector stands ready to assist and provide for these Washington State soldiers and their families, especially the families of those who lost their lives in the Persian Gulf; and

WHEREAS, These returning troops have earned the highest dignity and respect this nation, this state, and its people can bestow upon them;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives with this resolution, does hereby honor the brave men and women who served Washington State and our country with distinction; and

BE IT FURTHER RESOLVED, That the House of Representatives extends its utmost gratitude to our returning troops by working to build a better Washington for those soldiers and their families to call "home"; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted and circulated by the Chief Clerk of the House of Representatives to the returning Operation Desert Storm participants and their families.

Mr. Wineberry moved adoption of the resolution. Representatives Wineberry, Wynne, Jones, Moyer and Hine spoke in favor of the resolution.

On motion of Mr. Wineberry, the rules were suspended and the names of all members of the House of Representatives were added as sponsors of the resolution.

Representatives Kremen, P. Johnson, Dorn and Rasmussen spoke in favor of the resolution.

House Resolution No. 91-4636 was adopted.

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

#### MOTION

On motion of Mr. Dorn, the House adjourned until 12:00 Noon, Tuesday, March 5, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**FIFTY-FIRST DAY**

-----  
**NOON SESSION**  
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House Chamber, Olympia, Tuesday, March 5, 1991

The House was called to order at 12:00 Noon by the Speaker (Mr. O'Brien presiding).

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

**MESSAGE FROM THE GOVERNOR**

March 1, 1991

To the Honorable, the House  
 of Representatives of the  
 State of Washington  
 Ladies and Gentlemen:

I have the honor to advise you that on March 1, 1991, Governor Gardner approved the following House Bill entitled:

SUBSTITUTE HOUSE BILL NO. 1511: Relating to the disclosure of information from public records by state and local agencies.

Sincerely,  
 Thomas J. Felnagel, Counsel.

**MESSAGE FROM THE SENATE**

March 4, 1991

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 5018,  
 SENATE BILL NO. 5036,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5055,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5097,  
 SENATE BILL NO. 5241,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5256,  
 SENATE BILL NO. 5275,  
 SUBSTITUTE SENATE JOINT RESOLUTION NO. 8208,  
 and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

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

## INTRODUCTIONS AND FIRST READING

HB 2165 by Representative Heavey

AN ACT Relating to an examination of transportation management in the state of Washington; creating new sections; making an appropriation; and declaring an emergency.

Referred to Committee on State Government.

HB 2166 by Representatives Holland, Ferguson, Horn, Wynne, Ballard, Fuhrman, Van Loven, Chandler, Edmondson, Nealey, Schmidt, Wilson, Broback, Prince, Brough, May, Vance, Tate, Hochstatter, Forner, Bowman, Beck, McLean, Betrozoff, Wood, Silver, Miller, D. Sommers, Casada, Brumsickle and Mitchell

AN ACT Relating to valuation for property tax purposes; adding new sections to chapter 84.36 RCW; creating a new section; and providing a contingent effective date.

Referred to Committee on Revenue.

HB 2167 by Representatives Beck, Chandler, Schmidt, Jones, Nealey, Tate, Casada and Betrozoff

AN ACT Relating to elections; adding a new section to chapter 29.62; and creating a new section.

Referred to Committee on State Government.

HB 2168 by Representative R. Meyers

AN ACT Relating to a study of commercial vehicle weight limits; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 2169 by Representatives Ogden, Ballard, Leonard, Franklin, Nelson and Rasmussen

AN ACT Relating to the purchase of mobile home parks; adding a new chapter to Title 59 RCW; adding new sections to chapter 59.22 RCW; creating a new section; and making an appropriation.

Referred to Committee on Housing.

HB 2170 by Representatives Appelwick, Brough and Betrozoff

AN ACT Relating to sentencing of offenders; creating a new section; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2171 by Representative Anderson

AN ACT Relating to vacancies in elective office; amending RCW 36.32.070; adding a new section to chapter 42.12 RCW; and providing a contingent effective date.

Referred to Committee on State Government.

HB 2172 by Representatives Inslee and Grant

AN ACT Relating to certification for sex offender treatment providers; amending RCW 43.70.250; creating a new section; and making an appropriation.

Referred to Committee on Appropriations.

HB 2173 by Representatives Leonard, Ogden, Nelson and Rasmussen

AN ACT Relating to mobile homes; amending RCW 59.20.190; adding a new chapter to Title 59 RCW; recodifying RCW 59.20.190; and prescribing penalties.

Referred to Committee on Housing.

HB 2174 by Representatives Jones, Haugen and Spanel

AN ACT Relating to energy facility application processing and certification monitoring; and amending RCW 80.50.071.

Referred to Committee on Energy & Utilities.

HJR 4229 by Representatives Holland, Horn, Ferguson, Ballard, Wynne, Van Luven, Fuhrman, Schmidt, Chandler, Edmondson, Nealey, Wilson, Broback, Prince, Brough, May, Padden, Morton, Vance, Tate, Hochstatter, Forner, McLean, Silver, Betrozoff, Miller, D. Sommers, Bowman, Beck, Wood, Casada and Mitchell

Amending the Constitution to allow the legislature to limit increases in taxation of real estate.

Referred to Committee on Revenue.

SB 5018 by Senators L. Smith, Sutherland, Conner, Bauer and Snyder

Authorizing an additional tax levy for emergency medical service districts.

Referred to Committee on Local Government.

SB 5036 by Senators Barr, Conner, Bailey and Hansen

Establishing a livestock market net worth requirement.

Referred to Committee on Agriculture & Rural Development.

ESSB 5055 by Senate Committee on Environment & Natural Resources  
(originally sponsored by Senators Rasmussen and Amondson)

Providing for a certificate of completion for certain hazardous waste clean-up.

Referred to Committee on Environmental Affairs.

ESSB 5097 by Senate Committee on Agriculture & Water Resources (originally sponsored by Senators Barr, Hansen, Anderson, Gaspard, Newhouse, Conner, Bailey, Matson, Patterson, Amondson, Sellar, Bauer and L. Smith)

Redefining agricultural nuisances.

Referred to Committee on Agriculture & Rural Development.

SB 5241 by Senators Newhouse, Vognild, Hayner, Gaspard, McCaslin and McMullen

Providing for public hospital district chaplains.

Referred to Committee on Local Government.

ESSB 5256 by Senate Committee on Law & Justice (originally sponsored by Senators Nelson, A. Smith and Newhouse)

Providing franchise investment protection.

Referred to Committee on Commerce & Labor.

SB 5275 by Senator Nelson

Lowering necessary age difference for child molestation in first degree.

Referred to Committee on Judiciary.

SSJR 8208 by Senate Committee on Governmental Operations (originally sponsored by Senators Newhouse, Vognild, Hayner, Gaspard, McCaslin and McMullen)

Amending the Constitution to permit municipalities and state agencies to employ chaplains.

Referred to Committee on Local Government.

### MOTION

On motion of Mr Dorn, the bills and resolutions listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

### REPORTS OF STANDING COMMITTEES

March 1, 1991

HB 1041 Prime Sponsor, Representative Anderson: Authorizing facsimile filing of election documents. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 6, after "other" insert "election related"

On page 2, beginning on line 11, after "form" strike all material through "invalid." on line 14 and insert "and content."

If the original copy of a document must be signed and a copy of the document is filed by facsimile transmission under this section, the original copy shall be subsequently filed with the official with whom the facsimile was filed. The original copy shall be filed by a deadline established by the secretary by rule. The secretary may by rule require that the original of any document, a copy of which is filed by facsimile transmission under this section, also be filed by a deadline established by the secretary by rule."

On page 2, line 17, after "rules" insert "in accordance with chapter 34.05 RCW"

Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; O'Brien; and Sheldon.

Excused: Representative Moyer.

Passed to Committee on Rules for second reading.

March 4, 1991

HB 1191 Prime Sponsor, Representative Ogden: Providing assistance to single parents in higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; Basich; Dellwo; Fraser; Ludwig; Miller; Sheldon; Spanel; and Van Luven.

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

Excused: Representative Prince.

Passed to Committee on Rules for second reading.

March 4, 1991

HB 1192 Prime Sponsor, Representative Ogden: Helping single parents obtain a higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Basich; Dellwo; Fraser; Ludwig; Miller; Sheldon; Spanel; and Van Luven.

Excused: Representative Prince.

Referred to Committee on Appropriations.

March 1, 1991

HB 1194 Prime Sponsor, Representative Zellinsky: Revising and adding provisions on special districts. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1194 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1214 Prime Sponsor, Representative Anderson: Providing for one hundred percent cash out for accumulated sick leave. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 1214 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; O'Brien; and Sheldon.

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

Excused: Representative Moyer.

Referred to Committee on Appropriations.

March 1, 1991

HB 1302 Prime Sponsor, Representative Jacobsen: Appropriating funds for grants for a sports facility for the Washington State soccer community and the World Cup Soccer tournament. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: That Substitute House Bill No. 1302 be substituted therefor, and the substitute bill do pass. Signed by Representatives Cantwell, Chair; Sheldon, Vice Chair; Former, Ranking Minority Member; Betzoff, Assistant Ranking Minority Member; Ferguson; Ludwig; Moyer; Rasmussen; and Roland.

MINORITY recommendation: Without recommendation. Signed by Representatives Kremen and Riley.

Excused: Representative Rasmussen.

Referred to Committee on Capital Facilities & Financing.

February 28, 1991

HB 1334 Prime Sponsor, Representative Hargrove: Safeguarding private property interests. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1334 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Paris, Assistant Ranking Minority Member; Broback; Former; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Ludwig, Vice Chair; and Belcher.

Voting nay: Representatives Ludwig, Vice Chair; Belcher; Locke; Riley; and Scott.

Excused: Representatives Padden, Ranking Minority Member; and Hargrove.

Referred to Committee on Appropriations.

February 28, 1991

HB 1389 Prime Sponsor, Representative Fraser: Regulating aquatic plants. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill by Committee on Environmental Affairs be substituted therefor and the substitute bill do pass with the following amendments:

On page 2, line 7, after "act." strike everything through "account." on line 10

On page 3, after line 11, insert:

**NEW SECTION.** Sec. 6. 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 shall take effect immediately, except section 3 of this act shall be effective for vehicle registrations that expire August 31, 1992, and thereafter.

On page 1, line 3 of the title, strike "and making an appropriation" and insert "making an appropriation; and declaring an emergency"

Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Phillips; and Rust.

MINORITY recommendation: Do not pass. Signed by Representative Van Luven.

Voting nay: Representatives Morton; Silver; and Van Luven.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1421 Prime Sponsor, Representative Ogden: Authorizing "affordable housing projects.": Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Bill No. 1421 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Ballard; Leonard; and Ogden.

Excused: Representative Wineberry.

Referred to Committee on Revenue.

February 28, 1991

HB 1454 Prime Sponsor, Representative Rust: Pertaining to the applicability of the uniform fire code to underground storage tank laws. Reported by Committee on Environmental Affairs

MAJORITY recommendation: That Substitute House Bill No. 1454 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; Neher; Phillips; Pruitt; D. Sommers; Sprengle; and Van Luven.

Excused: Representatives G. Fisher; Sprengle; and Van Luven.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1455 Prime Sponsor, Representative Haugen: Regulating seaweed harvesting. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: That Substitute House Bill No. 1455 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; Cole; Haugen; Orr; and Spanel.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Assistant Ranking Minority Member; and Hochstatter.

Excused: Representatives Wilson, Ranking Minority Member; Basich; and Padden.

Referred to Committee on Appropriations.

March 1, 1991

HB 1491 Prime Sponsor, Representative R. Johnson: Creating the flood control improvement study commission. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1491 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1495 Prime Sponsor, Representative Heavey: Changing land development regulations. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1495 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; and Vance.

Excused: Representative Wilson.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1503 Prime Sponsor, Representative Appelwick: Providing for enforcement of safety belt requirements. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1503 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Locke; H. Myers; Riley; Scott; Vance; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives R. Meyers; Mielke; D. Sommers; and Tate.

Excused: Representatives Padden, Ranking Minority Member; and Hargrove.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1554 Prime Sponsor, Representative Anderson: Facilitating voter registration address verification. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment: On page 1, after line 5, strike all of subsection (1) and insert:

"(1) The county auditor may enter one or more contracts with the United States postal service, or its licensee, which permit the auditor to use postal service change-of-address information. If the auditor finds that information received under such a contract gives the appearance that a voter has changed his or her residence address, the auditor shall notify the voter concerning the requirements of state and federal laws governing voter registration and residence."

Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; O'Brien; and Sheldon.

Excused: Representatives Moyer and Pruitt.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1588 Prime Sponsor, Representative Pruitt: Regulating the board of accountancy. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 1588 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; R. Fisher; Grant; O'Brien; and Sheldon.

MINORITY recommendation: Do not pass. Signed by Representatives McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; and Chandler.

Excused: Representative Moyer.

Referred to Committee on Revenue.

March 4, 1991

HB 1641 Prime Sponsor, Representative R. King: Protecting food fish resources by the department of fisheries. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: That Substitute House Bill No. 1641 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; Fuhrman, Assistant Ranking Minority Member; Basich; Haugen; Hochstatter; Orr; and Padden.

MINORITY recommendation: Do not pass. Signed by Representatives Cole and Spanel.

Excused: Representatives Wilson, Ranking Minority Member; and Haugen.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1647 Prime Sponsor, Representative Locke: Authorizing public works loans to local governments in timber impact areas. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendment:  
On page 3, line 7, after "The" insert "public works"

Signed by Representatives Cantwell, Chair; Sheldon, Vice Chair; Forner, Ranking Minority Member; Betrozoff, Assistant Ranking Minority Member; Ferguson; Kremen; Ludwig; Moyer; Rasmussen; Riley; and Roland.

Excused: Representative Rasmussen.

Referred to Committee on Capital Facilities & Financing.

March 1, 1991

HB 1651 Prime Sponsor, Representative Franklin: Providing for public hospital district chaplains. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1651 be substituted therefor, and the substitute bill do pass. Signed by Representatives

Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wynne; and Zellinsky.

Excused: Representative Wood.

Passed to Committee on Rules for second reading.

February 28, 1991

HB 1654 Prime Sponsor, Representative Rust: Authorizing cities and towns to compel county residents to hook up to sewer systems. Reported by Committee on Environmental Affairs

MAJORITY recommendation: That Substitute House Bill No. 1654 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; Phillips; Pruitt; D. Sommers; and Sprenkle.

MINORITY recommendation: Without recommendation. Signed by Representatives Neher and Van Luven.

Voting nay: Representative Neher.

Excused: Representatives G. Fisher and Van Luven.

Passed to Committee on Rules for second reading.

February 28, 1991

HB 1657 Prime Sponsor, Representative Locke: Adopting a weighted student funding formula for common schools. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1657 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Cole; Dorn; Holland; Jones; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Voting nay: Representatives Vance, Assistant Ranking Minority Member; Berozoff; Broback; Brumsickle; P. Johnson; and Neher.

Referred to Committee on Appropriations.

March 1, 1991

HB 1659 Prime Sponsor, Representative Jacobsen: Creating a geographic information task force. Reported by Committee on State Government

**MAJORITY recommendation:** Do pass with the following amendment:

On page 2, line 7, after "(2)" strike all material through "representative." on page 3, line 2, and insert " The task force shall be composed of representatives as follows:

(a) One representative from each Washington state agency that creates, uses, has an interest in, or maintains data in an automated geographic information system and whose director elects to have a representative on the task force. The representative shall be designated by the director of the respective agency.

(b) One representative from the legislature, as designated by the joint legislative systems administrative committee;

(c) One representative from institutions of higher education as designated by the council of presidents' office;

(d) Two representatives from local governments, one designated by the association of Washington cities and the other by the association of Washington counties;

(e) One representative familiar with public disclosure laws and provisions, as designated by the public disclosure commission, and

(f) Five non-voting ex-officio members as follows:

(i) Two representatives from the Indian tribes in the state of Washington, as determined by the tribes;

(ii) One representative from the federal government as designated by the national mapping division of the U.S. geological survey;

(iii) One representative from the private sector who uses geographic information systems, to be selected by the geographic information task force, and

(iv) One representative from the department of information services as designated by the director of the department."

Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; O'Brien; and Sheldon.

Excused: Representative Moyer.

Referred to Committee on Appropriations.

February 27, 1991

HB 1677 Prime Sponsor, Representative Cooper: Updating population criteria for high capacity transportation programs. Reported by Committee on Transportation

**MAJORITY recommendation:** That Substitute House Bill No. 1677 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betzoff, Ranking Minority Member; Basich; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Wilson; Wood; and Zellinsky.

**MINORITY recommendation:** Do not pass. Signed by Representatives Chandler, Assistant Ranking Minority Member; and Schmidt.

Excused: Representatives Brough and R. Johnson.

Passed to Committee on Rules for second reading.

February 28, 1991

HB 1709 Prime Sponsor, Representative Fraser: Concerning safe drinking water. Reported by Committee on Environmental Affairs

MAJORITY recommendation: That Substitute House Bill No. 1709 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; Neher; Phillips; Pruitt; D. Sommers; Sprenkle; and Van Luven.

Excused: Representative Van Luven.

Referred to Committee on Revenue.

March 1, 1991

HB 1729 Prime Sponsor, Representative Wineberry: Preparing a plan for an expanded juror list. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1729 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representatives Padden, Ranking Minority Member; and Hargrove.

Referred to Committee on Appropriations.

March 1, 1991

HB 1752 Prime Sponsor, Representative Jacobsen: Authorizing local governments to recover costs of geographic information required to be disclosed by law. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 1752 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; Chandler; R. Fisher; Grant; O'Brien; and Sheldon.

MINORITY recommendation: Do not pass. Signed by Representatives McLean, Ranking Minority Member; and Bowman, Assistant Ranking Minority Member.

Excused: Representative Moyer.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1757 Prime Sponsor, Representative Ferguson: Changing "driving while intoxicated" to "driving while under the influence of intoxicating liquor or any drug.". Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Inslee; R. Meyers; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

MINORITY recommendation: Without recommendation. Signed by Representative Mielke.

Excused: Representatives Padden, Ranking Minority Member; Forner; Hargrove; and Locke.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1782 Prime Sponsor, Representative Appelwick: Affecting county court commissioners. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1782 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Inslee; Mielke; H. Myers; Riley; Scott; Tate; Vance; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative R. Meyers.

Excused: Representatives Padden, Ranking Minority Member; Hargrove; and D. Sommers.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1785 Prime Sponsor, Representative Appelwick: Authorizing a study of state preemption of local criminal penalties. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Broback; Forner; Inslee; Mielke; H. Myers; Scott; Tate; Vance; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher; Locke; R. Meyers; and Riley.

Excused: Representatives Padden, Ranking Minority Member; Hargrove; and D. Sommers.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1808 Prime Sponsor, Representative Wineberry: Pertaining to the child care facility fund. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: That Substitute House Bill No. 1808 be substituted therefor, and the substitute bill do pass. Signed by Representatives Cantwell, Chair; Sheldon, Vice Chair; Forner, Ranking Minority Member; Betzoff, Assistant Ranking Minority Member; Ferguson; Kremen; Ludwig; Moyer; Rasmussen; Riley; and Roland.

Excused: Representative Rasmussen.

Referred to Committee on Appropriations.

February 28, 1991

HB 1813 Prime Sponsor, Representative Peery: Changing provisions relating to teacher training and recruitment. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1813 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betzoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Referred to Committee on Appropriations.

March 1, 1991

HB 1818 Prime Sponsor, Representative Locke: Changing project completion costs for the state convention and trade center. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Neher, Assistant Ranking Minority Member; Brough; Casada; Fraser; Heavey; Jacobsen; Ogden; Peery; and Wang.

Excused: Representatives Schmidt, Ranking Minority Member; Beck; Braddock; Peery; Silver; and Wang.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1824 Prime Sponsor, Representative Appelwick: Changing district courts' jurisdiction. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1824 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Inslee; Locke; Mielke; H. Myers; Riley; Scott; Tate; Vance; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative R. Meyers.

Excused: Representatives Padden, Ranking Minority Member; Hargrove; and D. Sommers.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1825 Prime Sponsor, Representative Appelwick: Altering mandatory arbitration provisions. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1825 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; Tate; Vance; and Wineberry.

Excused: Representatives Padden, Ranking Minority Member; Hargrove; and D. Sommers.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1830 Prime Sponsor, Representative H. Myers: Clarifying that provisions relating to admissibility of children's statements apply to juvenile proceedings. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1830 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representatives Padden, Ranking Minority Member; and Hargrove.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1852 Prime Sponsor, Representative Wang: Providing funding for the fire services fund. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1852 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Brumsickle; Day; Leonard; and Rust.

MINORITY recommendation: Do not pass. Signed by Representatives Morton; Silver; and Van Luven.

Voting nay: Representatives Morris; Morton; Silver; and Van Luven.

Excused: Representatives Belcher and Phillips.

Passed to Committee on Rules for second reading.

March 4, 1991

HB 1860 Prime Sponsor, Representative R. King: Limiting the sale and harvest of certain fish species. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass with the following amendments:  
On page 1, beginning on line 4, strike section 1.  
Renummer the remaining sections accordingly.

On page 1, line 2 of the title, after "creating" strike "new sections" and insert "a new section"

Signed by Representatives R. King, Chair; Morris, Vice Chair; Fuhrman, Assistant Ranking Minority Member; Basich; Cole; Haugen; Hochstatter; Orr; Padden; and Spanel.

Excused: Representative Wilson.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1871 Prime Sponsor, Representative Jones: Preferring Washington wood products in public works projects. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: That Substitute House Bill No. 1871 be substituted therefor, and the substitute bill do pass. Signed by Representatives Cantwell, Chair; Sheldon, Vice Chair; Forner, Ranking Minority Member; Kremen; Rasmussen; Riley; and Roland.

MINORITY recommendation: Do not pass. Signed by Representatives Betrozoff, Assistant Ranking Minority Member; Ferguson; Ludwig; and Moyer.

Excused: Representative Roland.

Referred to Committee on Appropriations.

March 1, 1991

HB 1875 Prime Sponsor, Representative Peery: Revising provisions for unemployment compensation benefits for services performed for educational service districts. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Franklin; Jones; R. King; Prentice; and Vance.

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

Excused: Representatives O'Brien and Wilson.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1901 Prime Sponsor, Representative Appelwick: Amending the juvenile justice act. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1901 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Locke; R. Meyers; Mielke; H. Myers; Riley; D. Sommers; Tate; and Vance.

Excused: Representatives Padden, Ranking Minority Member; Forner; and Hargrove.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1907 Prime Sponsor, Representative Dellwo: Regulating local government self-insurance. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute House Bill No. 1907 be substituted therefor, and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Broback, Ranking Minority Member;

Mielke, Assistant Ranking Minority Member; Anderson; Dorn; Inslee; R. Johnson; R. Meyers; Paris; Schmidt; Scott; and Winsley.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1911 Prime Sponsor, Representative Haugen: Defining city and county licensing procedures for state licensed massage practitioners. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1911 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Nealey; Nelson; Rayburn; Roland; Wynne; and Zellinsky.

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

Excused: Representative Wood.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 1988 Prime Sponsor, Representative Braddock: Providing for nonvoting Indian delegates in the state legislature. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 1988 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; R. Fisher; Grant; O'Brien; and Sheldon.

MINORITY recommendation: Do not pass. Signed by Representatives McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; and Chandler.

Excused: Representative Moyer.

Referred to Committee on Appropriations.

February 27, 1991

HB 1997 Prime Sponsor, Representative Tate: Clarifying provisions relating to registration of sex offenders. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1997 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority

Member; Belcher; Forner; Hargrove; Inslee; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representative Locke.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 2015 Prime Sponsor, Representative Appelwick: Changing provisions relating to offenders. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 2015 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representatives Padden, Ranking Minority Member; and Hargrove.

Referred to Committee on Appropriations.

March 1, 1991

HB 2039 Prime Sponsor, Representative Sprenkle: Implementing space allocation standards for collection of solid waste and recyclable materials. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; Neher; Phillips; Pruitt; and Sprenkle.

MINORITY recommendation: Do not pass. Signed by Representative Van Luen.

Excused: Representative D. Sommers.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 2069 Prime Sponsor, Representative Lisk: Revising provisions for employer relief from unemployment insurance charges. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 2069 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk,

Assistant Ranking Minority Member; Franklin; Jones; R. King; Prentice; and Vance.

Excused: Representatives O'Brien and Wilson.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 2082 Prime Sponsor, Representative Appelwick: Changing provisions relating to district court judges. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representatives Padden, Ranking Minority Member; Forner; Hargrove; and Locke.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 2109 Prime Sponsor, Representative Locke: Establishing standards for water use efficiency. Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Bill No. 2109 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Ballard; Leonard; and Ogden.

Excused: Representatives Ballard and Wineberry.

Passed to Committee on Rules for second reading.

March 1, 1991

HB 2131 Prime Sponsor, Representative R. Meyers: Requiring plans for the enhancement of the Scatter Creek wildlife area. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: That Substitute House Bill No. 2131 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; Fuhrman, Assistant Ranking Minority Member; Cole; Haugen; Hochstatter; Orr; and Spanel.

Excused: Representatives Wilson, Ranking Minority Member; Basich; and Padden.

Referred to Committee on Appropriations.

March 4, 1991

HB 2163 Prime Sponsor, Representative Orr: Revoking licenses of persons who assault wildlife agents and other law enforcement officers. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; Fuhrman, Assistant Ranking Minority Member; Basich; Cole; Hochstatter; Orr; Padden; and Spanel.

Excused: Representatives Morris, Vice Chair; Wilson, Ranking Minority Member; Fuhrman, Assistant Ranking Minority Member; and Haugen.

Passed to Committee on Rules for second reading.

March 1, 1991

HJR 4216 Prime Sponsor, Representative Franklin: Amending the Constitution to permit municipalities and state agencies to employ chaplains. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 4216 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wynne; and Zellinsky.

Excused: Representative Wood.

Passed to Committee on Rules for second reading.

March 1, 1991

HJR 4218 Prime Sponsor, Representative Appelwick: Amending the Constitution as to the allowable number of county court commissioners. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Insee; Mielke; H. Myers; Scott; Tate; Vance; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives R. Meyers and Riley.

Voting nay: Representative R. Meyers.

Excused: Representatives Padden, Ranking Minority Member; Hargrove; and D. Sommers.

Passed to Committee on Rules for second reading.

March 1, 1991

HJR 4221 Prime Sponsor, Representative Appelwick: Amending the Constitution to remove cases in equity from the exclusive original jurisdiction of the superior courts. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Joint Resolution No. 4221 be substituted therefor, and the substitute joint resolution do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Inslee; Locke; Mielke; H. Myers; Riley; Scott; Tate; Vance; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative R. Meyers.

Excused: Representatives Padden, Ranking Minority Member; Hargrove; Scott; and D. Sommers.

Passed to Committee on Rules for second reading.

March 1, 1991

HJR 4226 Prime Sponsor, Representative Appelwick: Amending the Constitution to change the method of selecting the chief justice of the state supreme court. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; Tate; Vance; and Wineberry.

Excused: Representatives Padden, Ranking Minority Member; Hargrove; and D. Sommers.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Dorn, the bills and resolutions listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

MOTION

On motion of Mr. Dorn, the House adjourned until 3:30 p.m., Wednesday, March 6, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

## FIFTY-SECOND DAY

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## AFTERNOON SESSION

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House Chamber, Olympia, Wednesday, March 6, 1991

The House was called to order at 3:30 p.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Belcher, Locke, Nelson, Schmidt, Scott and Wang. On motion of Ms. Cole, Representatives Locke, Nelson and Wang were excused. On motion of Ms. Bowman, Representative Schmidt was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Masha Phillips and Lynn Jangard. Prayer was offered by The Reverend Cecil Thompson, Minister of the Summit Lake Community Church.

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

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

## INTRODUCTIONS AND FIRST READING

HB 2175 by Representatives Haugen, Ebersole and Ferguson

AN ACT Relating to port districts; and amending RCW 53.12.260.

Referred to Committee on Local Government.

HB 2176 by Representatives Morton, Padden, Hargrove, Bowman, Ludwig, Ballard, Bray, Sheldon, Moyer, Casada, May and Kremen

AN ACT Relating to school bus driver drug testing; adding a new chapter to Title 49 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 2177 by Representatives Lisk, Casada, Hochstatter, Horn, Paris, Betrozoff, Winsley, P. Johnson, Morton, Tate, Nealey, Chandler, Silver, Vance, May and Bowman

AN ACT Relating to controlled substances; adding a new section to chapter 69.50 RCW; creating a new section; and prescribing penalties.

.. Referred to Committee on Judiciary.

HJM 4019 by Representatives Forner, Riley, Moyer, Ludwig, Betzoff, Roland, Hargrove, Basich, P. Johnson, Prince, Brough and Bowman

Recognizing the importance of Washington grown wood.

Referred to Committee on Trade & Economic Development.

#### MOTION

On motion of Mr. Ebersole, the bills and memorial listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

#### REPORTS OF STANDING COMMITTEES

March 4, 1991

HB 1015 Prime Sponsor, Representative Haugen: Creating a procedure for local government service agreements. Reported by Committee on Local government

MAJORITY recommendation: That Substitute House Bill No. 1015 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; and Wynne.

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

Passed to Committee on Rules for second reading.

March 4, 1991

HB 1017 Prime Sponsor, Representative Ferguson: Establishing a citizens' review process for altering local governments. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Excused: Representative Nealey.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1036 Prime Sponsor, Representative Valle: Creating the office of director for the liquor control board. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 1036 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; R. Fisher; Grant; O'Brien; and Sheldon.

MINORITY recommendation: Do not pass. Signed by Representatives McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; and Moyer.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1088 Prime Sponsor, Representative Appelwick: Adopting the uniform transfers to minors act. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1088 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representatives Locke and Wineberry.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1162 Prime Sponsor, Representative D. Sommers: Providing a statutory basis for the implementation of an inverse condemnation suit. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1162 be substituted therefor, and the substitute bill do pass. Signed by Representatives Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Broback; Forner; Hargrove; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Appelwick, Chair; Belcher; and Inslee.

Voting nay: Representatives Appelwick, Chair; Belcher; Inslee; and Wineberry.

Excused: Representative Locke.

Referred to Committee on Appropriations.

March 4, 1991

HB 1163 Prime Sponsor, Representative Cole: Devising reporting procedures for Schedule II controlled substances. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1163 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Franklin; Morris; Paris; Prentice; and Sprenkle.

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

Excused: Representative Cantwell.

Referred to Committee on Appropriations.

March 4, 1991

HB 1208 Prime Sponsor, Representative Belcher: Authorizing an interstate forest fire suppression compact. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1208 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Excused: Representative Riley, Vice Chair.

Passed to Committee on Rules for second reading.

March 4, 1991

HB 1243 Prime Sponsor, Representative Fuhrman: Requiring teaching experience for teacher educators. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1243 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betzoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1316 Prime Sponsor, Representative Fraser: Changing provisions relating to county treasurers. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1316 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1403 Prime Sponsor, Representative Padden: Creating a written marriage contract that allows dissolution only on a showing of fault by one party. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Broback; Forner; Hargrove; Mielke; Scott; D. Sommers; Tate; and Vance.

MINORITY recommendation: Do not pass. Signed by Representatives Appelwick, Chair; Belcher; Inslee; Locke; R. Meyers; H. Myers; and Wineberry.

Voting nay: Representatives Appelwick, Chair; Ludwig, Vice Chair; Belcher; Inslee; Locke; R. Meyers; H. Myers; Riley; and Wineberry.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1408 Prime Sponsor, Representative Dellwo: Establishing a license to sell liquor in motels. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Cole, Vice Chair; and Franklin.

Referred to Committee on Appropriations.

March 4, 1991

HB 1412 Prime Sponsor, Representative Wineberry: Studying racial disproportionality in the juvenile justice system. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1412 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Excused: Representative Riley, Vice Chair.

Referred to Committee on Appropriations.

March 4, 1991

HB 1433 Prime Sponsor, Representative Tate: Providing for a boot camp pilot program within the department of corrections. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1433 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Excused: Representative Riley, Vice Chair.

Referred to Committee on Appropriations.

March 5, 1991

HB 1460 Prime Sponsor, Representative Franklin: Providing an alternative to drainage districts. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1460 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1482 Prime Sponsor, Representative Prentice: Modifying funding requirements of the AIDS service network. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Holland; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; Sprenkle; Valle; Vance; Wang; and Wineberry.

Passed to Committee on Rules for second reading.

March 4, 1991

HB 1543 Prime Sponsor, Representative Fraser: Providing family support for schools with at-risk students. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1543 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Excused: Representative Riley, Vice Chair.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1590 Prime Sponsor, Representative Nealey: Creating the Washington energy self-sufficiency commission. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Grant, Chair; May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Bray; Casada; Cooper; R. Fisher; Jacobsen; Miller; and Rayburn.

MINORITY recommendation: Without recommendation. Signed by Representative H. Myers, Vice Chair.

Referred to Committee on Appropriations.

March 4, 1991

HB 1619 Prime Sponsor, Representative Mitchell: Creating a property tax exemption for improvements to multifamily rental housing. Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Bill No. 1619 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Ballard; Leonard; and Ogden.

Excused: Representative Wineberry.

Referred to Committee on Revenue.

March 4, 1991

HB 1620 Prime Sponsor, Representative Franklin: Authorizing tax credits for housing projects for lower-income households. Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Bill No. 1620 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Ballard; Leonard; and Ogden.

Excused: Representative Wineberry.

Referred to Committee on Revenue.

March 4, 1991

HB 1621 Prime Sponsor, Representative Mitchell: Exempting building materials used in multifamily residential structures from sales and use taxation. Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Bill No. 1621 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Ballard; Leonard; and Ogden.

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

Excused: Representative Wineberry.

Referred to Committee on Revenue.

March 5, 1991

HB 1636 Prime Sponsor, Representative Scott: Providing for recovery of public agency expenses incurred in certain emergency responses. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1636 be substituted therefor, and the substitute bill do pass. Signed by Representatives Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Fomer; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; and Vance.

MINORITY recommendation: Do not pass. Signed by Representative Appelwick, Chair.

Excused: Representatives Locke and Wineberry.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1653 Prime Sponsor, Representative Pruitt: Authorizing release time for partners in education. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1653 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Vance; and Wilson.

Passed to Committee on Rules for second reading.

March 4, 1991

HB 1668 Prime Sponsor, Representative Haugen: Changing provisions relating to growth strategies. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1668 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Franklin; Horn; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

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

Referred to Committee on Appropriations.

March 5, 1991

HB 1681 Prime Sponsor, Representative Cooper: Revising bidding practices for municipalities. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1681 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Passed to Committee on Rules for second reading.

March 4, 1991

HB 1703 Prime Sponsor, Representative Cooper: Revising regulation of vehicle and vessel licensing and registration. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 1703 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Brough; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representative Jones.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1716 Prime Sponsor, Representative Wood: Standardizing terminology relating to county auditors and recording officers. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Passed to Committee on Rules for second reading.

March 4, 1991

HB 1749 Prime Sponsor, Representative Spanel: Establishing the parent as first teacher program. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1749 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Excused: Representative Riley, Vice Chair.

Referred to Committee on Appropriations.

March 4, 1991

HB 1753 Prime Sponsor, Representative Valle: Making major changes to tobacco laws. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1753 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Franklin; Morris; Paris; Prentice; and Sprenkle.

MINORITY recommendation: Do not pass. Signed by Representatives Day, Vice Chair; and Edmondson.

Referred to Committee on Revenue.

March 4, 1991

HB 1771 Prime Sponsor, Representative Rasmussen: Changing transportation authority of first class cities. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 1771 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Voting nay: Representative Brough.

Passed to Committee on Rules for second reading.

March 4, 1991

HB 1780 Prime Sponsor, Representative Morris: Authorizing work crews for criminal offenders. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1780 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Excused: Representative Riley, Vice Chair.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1821 Prime Sponsor, Representative R. Meyers: Making the fraudulent installation of fire protection sprinkler systems a felony. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1821 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Insee; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; and Vance.

Excused: Representatives Locke and Wineberry.

Passed to Committee on Rules for second reading.

March 4, 1991

HB 1861 Prime Sponsor, Representative Morris: Making changes to the osteopathic medicine and surgery statutes. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1861 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprengle.

Excused: Representatives Cantwell and Morris.

Passed to Committee on Rules for second reading.

March 4, 1991

HB 1864 Prime Sponsor, Representative Kremen: Changing requirements for removal of sand and gravel from aquatic lands. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute House Bill No. 1864 be substituted therefor, and the substitute bill do pass. Signed by Representatives Belcher, Chair; Scott, Vice Chair; Beck, Ranking Minority Member; Brumsickle, Assistant Ranking Minority Member; Dellwo; Fraser; Hargrove; Morton; Sheldon; and Wynne.

Excused: Representatives Scott, Vice Chair; Brumsickle, Assistant Ranking Minority Member; and Riley.

Referred to Committee on Appropriations.

March 4, 1991

HB 1870 Prime Sponsor, Representative Jones: Providing higher education opportunities for people in economically depressed timber regions. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute House Bill No. 1870 be substituted therefor, and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; Basich; Dellwo; Fraser; Ludwig; Miller; Prince; Sheldon; Spanel; and Van Luven.

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

Referred to Committee on Appropriations.

March 4, 1991

HB 1877 Prime Sponsor, Representative Hargrove: Creating the Olympic natural resources center. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute House Bill No. 1877 be substituted therefor, and the substitute bill do pass. Signed by Representatives Belcher, Chair; Scott, Vice Chair; Beck, Ranking Minority Member; Brumsickle, Assistant Ranking Minority Member; Dellwo; Fraser; Hargrove; Morton; Sheldon; and Wynne.

Excused: Representative Morton.

Referred to Committee on Capital Facilities & Financing.

March 5, 1991

HB 1881 Prime Sponsor, Representative Appelwick: Changing the method for determining the number of district court judges. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1881 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representatives Locke and Wineberry.

Passed to Committee on Rules for second reading.

March 4, 1991

HB 1885 Prime Sponsor, Representative Roland: Creating the teachers recruiting future teachers program. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1885 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betzoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Passed to Committee on Rules for second reading.

March 4, 1991

HB 1916 Prime Sponsor, Representative Belcher: Adopting the state lands stewardship act. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute House Bill No. 1916 be substituted therefor, and the substitute bill do pass. Signed by Representatives Belcher, Chair; Scott, Vice Chair; Dellwo; Fraser; Hargrove; and Sheldon.

MINORITY recommendation: Do not pass. Signed by Representatives Beck, Ranking Minority Member; Brumsickle, Assistant Ranking Minority Member; Morton; and Wynne.

Excused: Representative Riley.

Referred to Committee on Revenue.

March 5, 1991

HB 1922 Prime Sponsor, Representative Roland: Providing employment services for homeless persons. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Referred to Committee on Appropriations.

March 5, 1991

HB 1924 Prime Sponsor, Representative Grant: Regulating motor fuel marketing. Reported by Committee on Energy & Utilities

MAJORITY recommendation: That Substitute House Bill No. 1924 be substituted therefor, and the substitute bill do pass. Signed by Representatives Grant, Chair; H. Myers, Vice Chair; Bray; Cooper; R. Fisher; Jacobsen; and Rayburn.

MINORITY recommendation: Do not pass. Signed by Representatives May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Casada; and Miller.

Passed to Committee on Rules for second reading.

March 4, 1991

HB 1960 Prime Sponsor, Representative Prentice: Redefining practice beyond the scope of practice for health professionals. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1960 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprengle.

Excused: Representative Cantwell.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1963 Prime Sponsor, Representative Rasmussen: Requiring notification of the department of agriculture of certain applications of sludge. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: That Substitute House Bill No. 1963 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Nealey, Ranking Minority Member; P. Johnson, Assistant Ranking Minority Member; Grant; Rasmussen; and Roland.

MINORITY recommendation: Do not pass. Signed by Representatives Kremen, Vice Chair; Chandler; R. Johnson; and Lisk.

Voting nay: Representatives Kremen, Vice Chair; Chandler; R. Johnson; Lisk; and McLean.

Referred to Committee on Revenue.

March 4, 1991

HB 1976 Prime Sponsor, Representative Ebersole: Creating the minority criminal justice education loan program. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute House Bill No. 1976 be substituted therefor, and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Basich; Dellwo; Fraser; Ludwig; Miller; Prince; Sheldon; Spanel; and Van Luven.

Referred to Committee on Appropriations.

March 5, 1991

HB 1989 Prime Sponsor, Representative Jones: Changing penalties for vehicle size or weight load limit violations. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member;

Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representative Prince.

Referred to Committee on Revenue.

March 5, 1991

HB 1992 Prime Sponsor, Representative R. Fisher: Implementing advance right of way acquisitions. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; G. Fisher; Forner; Haugen; Horn; R. Johnson; Kremen; Mitchell; Nelson; Prentice; Wood; and Zellinsky.

MINORITY recommendation: Without recommendation. Signed by Representative P. Johnson.

Voting nay: Representatives Heavey and P. Johnson.

Excused: Representative Prince.

Passed to Committee on Rules for second reading.

March 4, 1991

HB 2021 Prime Sponsor, Representative Fraser: Extending the joint select committee on water resource policy. Reported by Committee on Natural Resources & parks

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; Scott, Vice Chair; Beck, Ranking Minority Member; Brumsickle, Assistant Ranking Minority Member; Dellwo; Fraser; Hargrove; Morton; Sheldon; and Wynne.

Excused: Representatives Scott, Vice Chair; Brumsickle, Assistant Ranking Minority Member; Riley; and Wynne.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 2042 Prime Sponsor, Representative Appelwick: Establishing conditions for the forfeiture of an earnest money deposit as an exclusive remedy. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 2042 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representatives Locke and Wineberry.

Passed to Committee on Rules for second reading.

March 4, 1991

HB 2044 Prime Sponsor, Representative Cooper: Expanding the membership of the transportation improvement board. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 2044 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 2053 Prime Sponsor, Representative Heavey: Exempting electrical utilities and contractors from licensing requirements for certain work involving electrical transmission lines. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

MINORITY recommendation: Without recommendation. Signed by Representative Franklin.

Voting nay: Representatives Franklin and Wilson.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 2061 Prime Sponsor, Representative Grant: Regulating amendments to the Washington state energy code. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendment: On page 2, line 5, after "managers," insert "building code enforcement officials,"

Signed by Representatives Grant, Chair; H. Myers, Vice Chair; Bray; Cooper; R. Fisher; Jacobsen; and Rayburn.

MINORITY recommendation: Do not pass. Signed by Representatives May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Casada; and Miller.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 2077 Prime Sponsor, Representative Hine: Changing reporting requirements for school district employee benefit providers. Reported by Committee on Appropriations

MAJORITY recommendation: That Substitute House Bill No. 2077 be substituted therefor, and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Holland; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 2104 Prime Sponsor, Representative Rayburn: Safeguarding agricultural activities. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: That Substitute House Bill No. 2104 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Minority Member; P. Johnson, Assistant Ranking Minority Member; Chandler; Grant; R. Johnson; Lisk; McLean; Rasmussen; and Roland.

Excused: Representative Lisk.

Referred to Committee on Appropriations.

March 5, 1991

HB 2119 Prime Sponsor, Representative Appelwick: Sentencing sexually violent offenders. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representatives Locke and Wineberry.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 2142 Prime Sponsor, Representative Spanel: Providing a schedule for notification to public employees of accumulated service credit. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Appelwick; Belcher; Braddock; Brekke; Dorn; Ebersole; Ferguson; Hine; Holland; Lisk; May; Mielke; Nealey; Peery; Rust; H. Sommers; Sprenkle; Valle; Vance; and Wang.

Excused: Representatives Inslee, Vice Chair; Fuhrman; Vance; and Wineberry.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 2147 Prime Sponsor, Representative Heavey: Restricting certain lottery activities. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; O'Brien; Prentice; and Vance.

MINORITY recommendation: Do not pass. Signed by Representatives R. King and Wilson.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 2156 Prime Sponsor, Representative Anderson: Restricting disclosure of public records containing addresses of victims of domestic violence. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 2159 Prime Sponsor, Representative Morris: Affecting fisheries that target sturgeon. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; Fuhrman, Assistant Ranking Minority Member; Hochstatter; Orr; and Padden.

MINORITY recommendation: Do not pass. Signed by Representatives Wilson, Ranking Minority Member; Basich; Cole; Haugen; and Spanel.

Passed to Committee on Rules for second reading.

March 4, 1991

HJM 4011 Prime Sponsor, Representative R. Fisher: Asking Congress for adoption of the new Federal Surface Transportation Assistance Act by October 1, 1991. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 13, after "the" strike "9-point Future Highway Program" and insert "principles"

On page 1, line 14, after "Federation" insert "and those of the Washington Transportation Policy Institute"

Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Passed to Committee on Rules for second reading.

March 4, 1991

HJM 4012 Prime Sponsor, Representative R. Fisher: Asking Congress to make motor fuel tax moneys available to the states for highway work. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 20, after "states;" insert "that Congress appropriate the balances accumulated in the highway and transit accounts to the states over the next five years so as to reduce the balance to an amount needed to pay obligated expenditures;"

Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Former; Haugen; Heavey; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Passed to Committee on Rules for second reading.

March 4, 1991

HJM 4015 Prime Sponsor, Representative Nelson: Asking Congress for equal tax treatment of employer-provided transportation benefits. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Former; Haugen; Heavey; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Passed to Committee on Rules for second reading.

March 4, 1991

HJR 4202 Prime Sponsor, Representative Ferguson: Allowing the review and modification of local government. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Excused: Representatives Mitchell, Assistant Ranking Minority Member; Horn; Nealey; Rayburn; and Wood.

Passed to Committee on Rules for second reading.

March 5, 1991

HCR 4410 Prime Sponsor, Representative R. King: Establishing a joint select committee on salmon and steelhead recovery. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: That Substitute House Concurrent Resolution No. 4410 be substituted therefor, and the substitute resolution do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; Fuhrman, Assistant Ranking Minority Member; Basich; Cole; Haugen; Hochstatter; Orr; Padden; and Spanel.

Excused: Representative Wilson, Ranking Minority Member.

Passed to Committee on Rules for second reading.

### MOTION

On motion of Mr. Ebersole, the bills, memorials and resolutions listed on today's committee reports under the fifth order of business were referred to the committees so designated.

Representatives Belcher, Schmidt and Scott appeared at the bar of the House.

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

### SECOND READING

HOUSE BILL NO. 1264, by Representatives Peery, Brough, G. Fisher, Vance, Rasmussen, Brumsickle, Roland, Valle, Phillips, Cole, P. Johnson, Jones, Holland, Neher, Broback, Paris, Betzoff and Basich

Making technical changes to the education code.

The bill was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Peery and Vance spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1264, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Locke, Nelson, Wang - 03.

House Bill No. 1264, having received the constitutional majority, was declared passed.

Representative Wang appeared at the bar of the House.

#### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1019 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1019, by Representatives Brough, Haugen, Mitchell and Ferguson

Allowing fees for efforts to prevent aquifer depletion.

The bill was read the second time. On motion of Mr. Cooper, Substitute House Bill No. 1019 was substituted for House Bill No. 1019, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1019 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Brough and Cooper spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1019, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Locke, Nelson - 02.

Substitute House Bill No. 1019, having received the constitutional majority, was declared passed.

Representative Locke appeared at the bar of the House.

HOUSE BILL NO. 1031, by Representatives Wood, Haugen, Ferguson, Nelson, Horn, Roland, Paris and Nealey

Making various changes in sewer and water district law.

The bill was read the second time. On motion of Mr. Cooper, Substitute House Bill No. 1031 was substituted for House Bill No. 1031, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1031 was read the second time.

Mr. Braddock moved adoption of the following amendments by Representatives Braddock, Wood and Haugen:

On page 5, line 1, strike "thereof" and insert "((thereof)) of the availability or use of water"

On page 6, line 9, after "charges for" strike "water supplied" and insert "the use or availability of water ((supplied))"

On page 11, after line 19, insert the following:

Sec. 9. RCW 57.08.080 and 1982 1st ex.s. c 17 s 12 are each amended to read as follows:

The commissioners shall enforce collection of the water connection charges and rates and charges for use or availability of water (~~((supplied against property owners connecting with the system and/or receiving such water))~~), such charges being deemed charges against the property served, by addition of penalties of not more than ten percent thereof in case of failure to pay the charges at times fixed by resolution. The commissioners may provide by resolution that where either water connection charges or rates and charges for water supplied are delinquent for any specified period of time, the district shall certify the delinquencies to the treasurer of the county in which the real property is located, and the charges and any penalties added thereto and interest thereon at the rate of not more than eight percent per year shall be a lien against the property upon which the service was received, subject only to the lien for general taxes.

Sec. 10. RCW 57.08.090 and 1982 1st ex.s. c 17 s 13 are each amended to read as follows:

The district may, at any time after the connection charges or rates and charges for the use or availability of water ((supplied)) and penalties are delinquent for a period of sixty days, bring suit in foreclosure by civil action in the superior court of the county in which the real property is located. The court may allow, in addition to the costs and disbursements provided by statute, such an attorney's fee as it adjudges reasonable. The action shall be in rem, and may be brought in the name of the district against an individual, or against all of those who are delinquent in one action, and the laws and rules of the court shall control as in other civil actions.

In addition to the right to foreclosure provided in this section, the district may also cut off all or part of the service after charges for water supplied are delinquent for a period of sixty days.

Sec. 11. RCW 57.20.020 and 1983 c 167 s 164 are each amended to read as follows:

(1) Whenever any issue or issues of water revenue bonds have been authorized in compliance with the provisions of RCW 57.16.010 through 57.16.040, said bonds shall be in bearer form or registered as to principal or interest or both, as provided in RCW 39.46.030, and may provide for conversion between registered and coupon bonds; shall be in such denominations, shall be numbered, shall bear such date, and shall be payable

at such time or times up to a maximum period of not to exceed thirty years as shall be determined by the board of water commissioners of the district; shall bear interest at such rate or rates payable at such time or times as authorized by the board; shall be payable at the office of the county treasurer of the county in which the water district is located and may also be payable at such other place or places as the board of water commissioners may determine; shall be executed by the president of the board of water commissioners and attested and sealed by the secretary thereof, one of which signatures may, with the written permission of the signator whose facsimile signature is being used, be a facsimile; and may have facsimile signatures of said president or secretary imprinted on any interest coupons in lieu of original signatures.

The water district commissioners shall have power and are required to create a special fund or funds for the sole purpose of paying the interest and principal of such bonds into which special fund or funds the said water district commissioners shall obligate and bind the water district to set aside and pay a fixed proportion of the gross revenues of the water supply system or any fixed amount out of and not exceeding a fixed proportion of such revenues, or a fixed amount or amounts without regard to any fixed proportion and such bonds and the interest thereof shall be payable only out of such special fund or funds, but shall be a lien and charge against all revenues and payments received from any utility local improvement district or districts pledged to secure such bonds, subject only to operating and maintenance expenses.

In creating any such special fund or funds the water district commissioners of such water district shall have due regard to the cost of operation and maintenance of the plant or system as constructed or added to and to any proportion or part of the revenue previously pledged as a fund for the payment of bonds, warrants or other indebtedness, and shall not set aside into such special fund a greater amount or proportion of the revenue and proceeds than in their judgment will be available over and above such cost of maintenance and operation and the amount or proportion, if any, of the revenue so previously pledged. Any such bonds and interest thereon issued against any such fund as herein provided shall be a valid claim of the owner thereof only as against the said special fund and its fixed proportion or amount of the revenue pledged to such fund, and shall not constitute an indebtedness of such water district within the meaning of the constitutional provisions and limitations. Each such bond shall state upon its face that it is payable from a special fund, naming the said fund and the resolution creating it. Said bonds shall be sold in such manner, at such price and at such rate or rates of interest as the water district commissioners shall deem for the best interests of the water district, either at public or private sale, and the said commissioners may provide in any contract for the construction and acquirement of the proposed improvement (and for the refunding of outstanding local improvement district obligations, if any) that payment therefor shall be made in such bonds at par value thereof.

When any such special fund shall have been heretofore or shall be hereafter created and any such bonds shall have been heretofore or shall hereafter be issued against the same a fixed proportion or a fixed amount out of and not to exceed such fixed proportion, or a fixed amount or amounts without regard to any fixed proportion, of revenue shall be set aside and paid into said special fund as provided in the resolution creating such fund or authorizing such bonds, and in case any water district shall fail thus to set aside and pay said fixed proportion or amount as aforesaid, the owner of any bond payable from such special fund may bring suit or action against the water district and compel such setting aside and payment.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter 39.46 RCW.

(3) The water district commissioners of any water district, in the event that such water revenue bonds are issued, shall provide for revenues by fixing rates and charges for the ~~((furnishing of water supply to those receiving such service))~~ use or availability of

water, such rates and charges to be fixed as deemed necessary by such water district commissioners, so that uniform charges will be made for the same class of customer or service.

In classifying customers served or service furnished by such water supply system, the board of water commissioners may in its discretion consider any or all of the following factors: The difference in cost of service to the various customers; the location of the various customers within and without the district; the difference in cost of maintenance, operation, repair and replacement of the various parts of the system; the different character of the service furnished various customers; the quantity and quality of the water furnished; the time of its use; capital contributions made to the system including but not limited to assessments; and any other matters which present a reasonable difference as a ground for distinction. Such rates shall be made on a monthly basis as may be deemed proper by such commissioners and as fixed by resolution and shall produce revenues sufficient to take care of the costs of maintenance and operation, revenue bond and warrant interest and principal amortization requirements and all other charges necessary for efficient and proper operation of the system.

Mr. Braddock spoke in favor of adoption of the amendments, and they were adopted.

Ms. Hine moved adoption of the following amendment by Representatives Hine, Haugen, Wood and G. Fisher:

On page 11, after line 19, insert a new section as follows:

"NEW SECTION, Sec. 9. 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 shall take effect immediately."

Ms. Hine spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendment by Representatives Braddock, Wood and Haugen to the title was adopted:

In line 2 of the title, after "57.08.120," strike "and 57.12.015;" and insert "57.12.015, 57.08.080, 57.08.090, and 57.20.020;"

On motion of Ms. Hine, the following amendment by Representatives Hine, Haugen, Wood and G. Fisher to the title was adopted:

On page 1, beginning on line 3 of the title, strike "and adding a new section to chapter 57.08 RCW" and insert "adding a new section to chapter 57.08 RCW; and declaring an emergency"

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Wood spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1031, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Nelson - 01.

Engrossed Substitute House Bill No. 1031, having received the constitutional majority, was declared passed.

The Speaker assumed the Chair.

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

## RESOLUTION

HOUSE RESOLUTION NO. 91-4637, by Representatives Wilson and Haugen

WHEREAS, James Pierre of Arlington, Washington, has made a great sacrifice to his state and country; and

WHEREAS, Shortly after being warned of being under SCUD missile attack in their barracks in Dhahran, Eastern Saudi Arabia, James and three others were hit by the explosion of a missile; and

WHEREAS, James is extremely fortunate to be alive, since the other three people next to him in the barracks were killed; and

WHEREAS, James suffered shrapnel wounds and burns to his left side, a severely shattered ankle, shrapnel holes in his arm, and a hearing impairment from the explosion; and

WHEREAS, James is a Specialist Fourth Class who was with the Army 4077th Transportation Company, with its home base in Fort Jackson, near Columbia, South Carolina; and

WHEREAS, James was discharged from active duty in January 1990 and was called back to duty in January 1991; and

WHEREAS, James' concerned family consists of parents William Pierre, Jr., of Mukilteo, and Karla Pierre of Arlington, and brother Jon Pierre and sister Joanna Pierre, both of Arlington;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor James Pierre's brave sacrifice for his state and country; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to James Pierre and his family.

Mr. Wilson moved adoption of the resolution. Representatives Wilson, Haugen and Appelwick spoke in favor of the resolution.

House Resolution No. 91-4637 was adopted.

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

## SECOND READING

### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1084 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1084, by Representatives Franklin, Vance, R. King, Ferguson, Jacobsen, Edmondson, May, Wynne, Chandler, Wood, Mitchell and Tate; by request of Liquor Control Board

Modifying provisions relating to minors on liquor establishments.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Franklin spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1084, and the bill passed the House by the following vote: Yeas - 93, Nays - 4, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Moyer, Myers, H., Nealey, Neher, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle,

Vance, Van Luven, Wang, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Holland, Morton, Silver, Wilson - 04.

Excused: Representative Nelson - 01.

House Bill No. 1084, having received the constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

Please change my vote on final passage of House Bill No. 1084 from "no" to "yes."

BOB MORTON, 7th District.

HOUSE BILL NO. 1115, by Representatives Appelwick, Padden, Dellwo and Paris; by request of Statute Law Committee

Revising references that are incorrect as a result of the creation of the department of health under chapter 9, Laws of 1989 1st ex.s.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Appelwick and Padden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1115, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Nelson - 01.

House Bill No. 1115, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1145, by Representatives Jacobsen, Wood, Ogden, Sheldon, Paris, Jones, Basich, Wynne, Miller, Wineberry, and Anderson

Revising provisions for the American Indian endowed scholarship program.

The bill was read the second time. On motion of Mr. Jacobsen, Substitute House Bill No. 1145 was substituted for House Bill No. 1145, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1145 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Jacobsen and Wood spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1145, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Nelson - 01.

Substitute House Bill No. 1145, having received the constitutional majority, was declared passed.

The Speaker called on Representative R. Meyers to preside.

### MOTION

Mr. Dorn moved that the House defer consideration of House Bill No. 1147 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1186, by sponsored by Representatives Appelwick, Ludwig, Paris, Wineberry, Scott and Riley

Requiring that criminal penalties set by cities and counties be the same as those set in state law.

The bill was read the second time. On motion of Mr. Ludwig, Substitute House Bill No. 1186 was substituted for House Bill No. 1186, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1186 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ludwig and Padden spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1186, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luvan, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Nelson - 01.

Substitute House Bill No. 1186, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1189, by Representatives Ludwig, Locke, Padden, Riley, Inslee, Paris, Mielke, Scott, H. Myers, R. Meyers and Orr

Allowing courts to award costs for probation or deferred prosecution.

The bill was read the second time. On motion of Mr. Ludwig, Substitute House Bill No. 1189 was substituted for House Bill No. 1189, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1189 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ludwig and Padden spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1189, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Nelson - 01.

Substitute House Bill No. 1189, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1193, by Representatives Zellinsky, Franklin, Nealey, Haugen, Bray, Wynne, Cooper, Rayburn, Winsley, R. Meyers and Scott

Modifying compensation conditions for fire commissioners who serve as volunteer fire fighters.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Zellinsky spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1193, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel,

Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Nelson - 01.

House Bill No. 1193, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1196, by Representatives Bray, Neher, Jacobsen, Ludwig, Grant, Nealey, Rayburn, Inslee and G. Fisher

Establishing the Washington state center for environmental and molecular sciences at Washington State University/Tri-Cities.

The bill was read the second time. On motion of Mr. Grant, Substitute House Bill No. 1196 was substituted for House Bill No. 1196, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1196 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Bray, May and Nealey spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1196, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Nelson - 01.

Substitute House Bill No. 1196, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1200, by Representatives Morris, Brough, Anderson, Brumsickle, Hine, Prentice, Fraser, Ebersole, Cole, Pruitt, Jacobsen, Prince, Belcher, Peery, Cooper, Wang, Cantwell, Day, Brekke, Winsley, Edmondson, R. Johnson, Padden, R. King, Nelson and Spanel

Continuing direct access to physical therapists.

The bill was read the second time. On motion of Mr. Day, Substitute House Bill No. 1200 was substituted for House Bill No. 1200, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1200 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Day and Moyer spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1200, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Nelson - 01.

Substitute House Bill No. 1200, having received the constitutional majority, was declared passed.

The Speaker (Mr. R. Meyers presiding) declared the House to be at ease. The Speaker (Mr. Wineberry presiding) called the House to order.

### MESSAGE FROM THE SENATE

March 4, 1991

Mr. Speaker:

The President has signed:

SENATE JOINT MEMORIAL NO. 8015,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

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

## REPORTS OF STANDING COMMITTEES

March 6, 1991

HB 1022 Prime Sponsor, Representative Cooper: Directing the development of a state energy strategy and authorizing the implementation of conservation savings and sales by state agencies. Reported by Committee on Capital Facilities & Financing

**MAJORITY recommendation:** The substitute bill by Committee on Energy & Utilities be substituted therefor, and the substitute bill do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 43.21F RCW to read as follows:

The legislature finds that the citizens of the state are vitally affected by the development and use of energy. In order to further the interests of the state, a strategy to guide policies and actions impacting energy is needed. A state energy strategy should foster the development of adequate, reliable, secure, economical, and environmentally acceptable energy supplies. A state energy strategy must provide a means by which the various elements of public policy, such as preservation of the quality of the environment, public health and welfare, and economic development are given proper and appropriately balanced consideration in decisions affecting energy supply and use. Such a strategy must be objective in its consideration of energy alternatives and facilitate the efficient operation of energy markets. It must also recognize the basic responsibility that utilities and other energy suppliers have in delivering energy to the citizens of the state. A state energy strategy must also assure that decisions and actions in other areas of public policy, such as transportation, land use, and protection of the environment take into consideration their impact on energy supply and use.

The legislature directs the development of a state energy strategy that is intended to achieve the foregoing goals. The strategy shall identify significant issues; develop a framework for evaluating policies and actions that affect energy supply and use; establish goals to guide energy-related decisions; recommend appropriate energy policies; and make clear the relevant costs, benefits, risks, and trade-offs.

The legislature further finds that state-funded facilities have significant opportunities for improving the efficiency of their energy use. Implementing such improvements would save public funds and serve as a model of energy-efficient operation and management for the citizens of the state. To accomplish this goal, the legislature directs the establishment of a new program for the effective management of expenditures for energy in public facilities and for the demonstration of the efficient use of energy in public facilities.

NEW SECTION. Sec. 2. A new section is added to chapter 43.21F RCW to read as follows:

(1) The state energy office shall develop a state energy strategy. The strategy shall be developed in consultation with an advisory committee. The advisory committee shall include eighteen members and represent different regions of the state, including thirteen citizens from the following groups: One person employed by an investor-owned electric utility, one person employed by an investor-owned natural gas utility, one person employed by a supplier of petroleum products, one person employed by a publicly owned electric utility, one person employed by an industrial energy user, one person employed by a commercial energy user, one person employed by an agricultural energy user, two persons representing local government, two persons representing civic organizations, and two representatives of environmental organizations. In addition, the advisory committee shall include one of the representatives of the state of Washington to the pacific northwest

electric power and conservation planning council selected by the governor; the chair of the energy facility site evaluation council; one member of the utilities and transportation commission selected by the chair of the commission; one member of the house of representatives selected by the speaker of the house of representatives; and one member of the senate selected by the majority leader of the senate. The director may establish technical advisory groups as necessary to assist in the development of the strategy. The director shall provide for extensive public involvement throughout the development of the strategy.

(2) The state energy strategy shall consider all forms of energy and each major sector of energy consumption and shall:

(a) Assess future needs of the state for each form of energy;

(b) Identify measures to assist in maintaining adequate, reliable, secure, economic, and environmentally acceptable supplies;

(c) Identify and, to the extent possible, quantify the costs and benefits of energy alternatives including direct economic costs and benefits, environmental costs and benefits, and the costs of inadequate or unreliable energy supplies;

(d) Develop a framework in which public decisions and actions affecting energy supply and use can be evaluated including the impact of decisions in other areas of public policy on energy supply and cost and on the use of energy and the establishment of goals to guide energy-related decisions;

(e) Evaluate the future role of the state energy office and means of financing those activities determined essential to the state; and

(f) Recommend energy goals and policies to the governor and the legislature.

(3) In developing the state energy strategy, the state energy office shall:

(a) Ensure that the information developed is objective and impartial and facilitates the effective and efficient operation of energy markets but shall not mandate the use of one energy source over another;

(b) Draw upon existing public and private sector information and expertise in energy matters to the fullest extent possible through consultation and cooperation;

(c) Recognize the planning horizons required for each segment of the energy industry and need for state actions and decisions to take those planning horizons into consideration; and

(d) Ensure that the strategy is coordinated with the energy planning activities of federal, state, and private entities and does not duplicate what is already available.

(4) The energy office shall provide a progress report to the house of representatives and senate committees on energy and utilities in January 1992. A final report shall be provided to the governor and the legislature by December 1, 1992.

**NEW SECTION.** Sec. 3. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Cogeneration" means the sequential generation of two or more forms of energy from a common fuel or energy source but does not include district heating and cooling. If these forms are electricity and thermal energy, then the operating and efficiency standards established by 18 C.F.R. Sec. 292.205 and the definitions established by 18 C.F.R. 292.202 (c) through (m) apply.

(2) "Conservation" means reduced energy consumption or energy cost, or increased efficiency in the use of energy, and activities, measures, or equipment designed to achieve such results, but does not include district heating and cooling, or electric production from cogeneration.

(3) "Cost-effective" means providing positive net present value with a discount rate set equal to the cost of public borrowing.

(4) "District heating and cooling" means the production of thermal energy at a public facility and its sale for distribution or use or both, in buildings that are not part of the same facility.

(5) "Energy" means energy as defined in RCW 43.21F.025(1).

(6) "Energy efficiency" means conservation, cogeneration, district heating and cooling, or the use of alternative energy resources.

(7) "Energy office" means the Washington state energy office.

(8) "Host agency" means the state agency or school district responsible for the public facility at which an energy efficiency measure or project is or may be implemented.

(9) "Person" means a natural person, private or public corporation, partnership, or association, or a combination thereof.

(10) "Project" means a project or projects designed to result in energy efficiency.

(11) "Public facility" means a building or structure, or a group of buildings or structures at a single site, owned by a state agency or school district.

(12) "State agency" means every state office or department, whether elective or appointive, state institutions of higher education, and all boards, commissions, or divisions of state government, however designated.

(13) "State facility" means a building or structure, or a group of buildings or structures at a single site, owned by a state agency.

(14) "Utility" means privately or publicly owned electric, gas, and heating utilities, electric cooperatives, and federal power marketing agencies, whether located within or without Washington state.

**NEW SECTION.** Sec. 4. (1) State agencies and school districts shall pursue and maintain efficient operation of their facilities in order to minimize energy consumption and related environmental impacts and reduce operating costs.

(2) The energy office shall assist state agencies and school districts and host agencies in identifying, evaluating, and implementing cost-effective energy efficiency projects at public facilities. The assistance shall include notifying state agencies and school districts of their responsibilities under this chapter; apprising them of opportunities to develop and finance such projects; providing technical and analytical support; reviewing verification procedures for energy savings; and assisting in the structuring and arranging of financing for projects expected to result in reduced energy use or costs, increased energy efficiency, or other net benefits for state agencies, school districts, and the state. The energy office shall comply with the requirements of chapter 39.80 RCW when contracting for architectural or engineering services. The energy office shall recover costs for such assistance through written agreements, including reimbursement from third parties participating in such projects, for any costs and expenses incurred in providing such assistance.

(3) Local gas and electric utilities shall be provided an opportunity to participate with the energy office and host agencies in the development of cogeneration projects at state and school district facilities which they serve. For the purposes of this section, development includes design and feasibility studies, construction, financing, and contract negotiations for purchase of electricity, sale of thermal energy, and purchase of natural gas. To facilitate such participation, state institutions and school districts, in consultation with the energy office, shall have the authority to enter into direct negotiations with the local utility. The opportunity to participate shall be offered to the local utility in the following manner:

(a) Prior to beginning a study of cogeneration project feasibility, the host agency in consultation with the energy office shall notify the local utility.

(b) If the local utility is interested in such participation, within sixty days of receipt of such notification it shall inform the host agency and the energy office of its intent and willingness to enter into direct negotiations and as to the nature and scope of its desired participation.

(c) Any negotiations resulting from such notification shall be conducted in good faith by all parties.

(4) The energy office shall consult with the local gas and electric utilities to develop priorities for energy conservation projects pursuant to this chapter, cooperate where possible with existing utility programs, and consult with the local gas and electric utilities prior to implementing projects in their service territory. Gas and electric utilities shall be offered the opportunity to participate in the development of conservation projects. Electric utilities who are firm power requirements customers of a federal power marketing agency shall be offered the opportunity to participate in the following manner:

(a) Before initiating projects in the utility service territory, the energy office shall notify the local electric utility of state agency or school district facilities that the energy office has targeted for energy conservation projects.

(b) Within sixty days of receipt of this notification, the local electric utility may express interest in these projects by submitting to the energy office a proposal describing the role the utility is willing to play in developing and acquiring the conservation at these facilities.

(c) Upon receipt of this proposal, the energy office shall, through discussions with the local utility, and with involvement from state agencies and school districts, develop a plan for coordinated delivery of conservation services, financing, and utility payment for electric energy conservation to state agency and school district facilities in the utility's service territory. The plan shall identify the local utility in roles that the utility is willing and able to perform and that are consistent with the provisions of section.5(3)(f) of this act.

**NEW SECTION.** Sec. 5. (1) The energy office shall, in coordination with electric and gas utilities and host agencies, facilitate the sale or transmission of energy generated and the sale of energy saved at state agencies and school districts.

(2) State agencies and school districts shall notify the energy office at least thirty days in advance of submitting an offer to a utility or responding to an offer from a utility for the sale of energy generated or saved at their facilities.

(3) To ensure an equitable allocation of benefits to the state and to host agencies, the following conditions shall apply to transactions between utilities and state agencies or school districts for sales of energy generated or saved:

(a) The transaction shall be approved by both the energy office and the host agency.

(b) The energy office and the host agency shall work together throughout the planning and negotiation process for such transactions unless the energy office determines that its participation will not further the purposes of this section.

(c) When the energy office is involved in a proposed transaction it shall negotiate directly with utilities who are parties to the transaction.

(d) Before making a decision under (e) of this subsection, the energy office shall review the proposed transaction for its technical and economic feasibility, the adequacy and reasonableness of procedures proposed for verification of project or program performance, the degree of certainty of benefits, the degree of risk assumed by the state or school district, the benefits offered to the state or school district relative to the value of the resource to the utility, and such other factors as the energy office determines to be prudent.

(e) The energy office shall approve a transaction unless it finds, pursuant to the review in (d) of this subsection, that the transaction would not result in an equitable allocation of costs and benefits, in which case the transaction shall be disapproved.

(f) In addition to the requirements of (d) and (e) of this subsection, in areas in which a federal power marketing agency has a program for the purchase of energy saved at public facilities, the energy office shall approve the transaction unless the local utility cannot offer a substantially equivalent benefit to that offered by the federal power marketing agency, in which case the transaction shall be disapproved. In determining whether the local utility is offering a substantially equivalent benefit, the energy office shall consider the net present value of the payment saved energy; any goods, services, or

financial assistance provided by the utility; and any risks borne by the utility. Any direct negative financial impact on a nongrowing utility shall be considered.

(4) Any party to a potential transaction may, within thirty days of any decision to disapprove a transaction made pursuant to subsection (3) (d), (e), or (f) of this section, request an independent reviewer who is mutually agreeable to all parties to the transaction to review the decision to disapprove. The parties shall within thirty days of selection submit to the independent reviewer documentation supporting their positions. The independent reviewer shall render advice regarding the validity of the disapproval within an additional thirty days.

**NEW SECTION.** Sec. 6. Nothing in this act authorizes any state agency or school district to construct or operate a district heating and cooling system or to make any sale of energy beyond the express provisions of this act.

**NEW SECTION.** Sec. 7. In order to implement a wide variety of cost-effective energy efficiency projects for state agencies and school districts and the state, funding and financing sources that may be employed include:

- (1) Legislative appropriations;
- (2) Financing contracts under chapter 39.94 RCW;
- (3) Third-party financing provided by private or public sources; and
- (4) Energy service contracts with private or public service providers.

**NEW SECTION.** Sec. 8. In addition to any other authorities conferred by law:

(1) The energy office may, with the consent of the state agency or school district responsible for a facility:

- (a) Develop and finance conservation at state and school district facilities;
  - (b) Contract for energy services, including shared savings, guaranteed savings, or other performance-based arrangements at state facilities;
  - (c) Contract to sell electric energy generated or saved by energy efficiency projects at public facilities to or with utilities;
  - (d) Contract to sell thermal energy produced at state facilities to or with utilities;
- and
- (e) Participate in negotiations, competitive procurement, and other activities necessary or convenient for these purposes.

(2) Subject to section 5 of this act concerning certain utility transactions, state and regional universities acting independently, and other state agencies acting through the department of general administration or as otherwise authorized, may exercise the authorities enumerated in subsection (1) of this section for their facilities and may also:

- (a) Acquire, install, permit, construct, own, operate, and maintain energy efficiency measures or equipment, or both, at their facilities;
- (b) Lease state property to private or other public parties for the installation and operation of energy efficiency equipment at state facilities;
- (c) Contract to purchase all or part of the electric or thermal output of cogeneration plants at their facilities;
- (d) Contract to purchase or otherwise acquire fuel or other energy sources needed to operate cogeneration plants at their facilities; and
- (e) Undertake procurements for third-party development of energy efficiency projects at state facilities, with successful proposers to be selected based on the responsible bid, including nonprice elements listed in RCW 43.19.1911, that offers the greatest net achievable benefits to the state and its agencies.

For projects involving cogeneration at state facilities commenced after the effective date of this act, all such authorities shall be exercised in consultation with the energy office.

- (3) Subject to section 5 of this act, school districts may:
  - (a) Develop and finance conservation at school district facilities;

(b) Contract for energy services, including shared savings, guaranteed savings, or other performance-based arrangements at state facilities;

(c) Contract to sell electric energy generated or saved by energy efficiency projects at school district facilities to utilities directly or to utilities through third parties.

(4) The leasing and contracting authorities provided in this section may be exercised for terms up to thirty years.

(5) The authorities under this section may be exercised only if their exercise is reasonably expected to yield lower energy use or costs or higher energy efficiency, or other net benefits including cash revenues, site enhancements, or environmental improvements, for the host agency, the agency, or the state over the life of the measures or projects to be undertaken.

**NEW SECTION.** Sec. 9. The energy office may use appropriated moneys to make loans, in accordance with RCW 43.21F.060(2), to school districts to provide all or part of the financing for conservation projects. The energy office shall determine the eligibility of such projects for conservation loans and the terms of such loans. If loans are from moneys appropriated from bond proceeds, the repayments of the loans shall be sufficient to pay, when due, the principal and interest on the bonds and shall be paid to the energy efficiency construction account. To the extent that a school district applies the proceeds of such loans to a modernization project, such proceeds shall be considered a portion of the school district's share of the costs of such project.

**NEW SECTION.** Sec. 10. (1) The energy efficiency construction account is hereby created in the state treasury. Moneys in the account may be spent only after appropriation and only for the following purposes:

(a) Construction of energy efficiency projects, including project evaluation and verification of benefits, project design, project development, project construction, and project administration.

(b) Payment of principal and interest and other costs required under bond covenant on bonds issued for the purpose of (a) of this subsection.

(2) Sources for this account may include:

(a) General obligation and revenue bond proceeds appropriated by the legislature;

(b) Loan repayments under section 9 of this act sufficient to pay principal and interest obligations; and

(c) Any other source, including other federal, state, and local agencies.

(3) The energy office shall establish criteria for approving energy efficiency projects to be financed from moneys disbursed from this account. The criteria shall include cost-effectiveness, reliability of energy systems, and environmental costs or benefits. The energy office shall ensure that the criteria are applied with professional standards for engineering and review.

**NEW SECTION.** Sec. 11. (1) The energy efficiency services account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only (a) for the energy office to provide energy efficiency services to state agencies and school districts including review of life-cycle cost analyses and (b) for transfer by the legislature to the state general fund.

(2) All receipts from the following sources shall be deposited into the account:

(a) Project fees charged under this section and section 16 of this act;

(b) After payment of any principal and interest obligations, moneys from repayments of loans under section 9 of this act;

(c) Revenue from public or private sales of energy generated or saved at public facilities under this act, except those retained by host agencies under section 12 of this act; and

(d) Payments by utilities under this act, except those retained by host agencies under section 12 of this act.

(3) The energy office may accept moneys and make deposits to the account from any source including revenue from other federal, state, or local government agencies.

(4) Within one hundred eighty days after the effective date of this act, the energy office shall adopt rules establishing criteria and procedures for setting a fee schedule, establishing working capital requirements, and receiving deposits for this account.

**NEW SECTION.** Sec. 12. (1) Potential benefits from energy efficiency projects at public facilities include savings in the form of reduced energy costs; revenues from lease payments, sales of energy or energy savings, or other sources; avoided capital costs; site enhancements; additional operating and maintenance resources; and environmental improvements.

(2) To encourage these projects at state facilities, and notwithstanding any other provision of law, the following benefits from energy efficiency projects completed after the effective date of this act shall be apportioned as specified:

(a) As to conservation, state host agencies may retain all net savings in the form of reduced energy costs, and one-half of all net revenues from any transaction with a utility or other entity;

(b) As to other energy efficiency projects, state host agencies may retain one-half of all net savings in the form of reduced energy costs and twenty percent of all net revenues generated by the project from any source; and

(c) The remaining net revenues from conservation projects, and remaining net savings and revenues from other energy efficiency projects, shall be remitted to the state for the disposition and uses specified in subsection (4) of this section.

(3) Each state host agency's share of net savings from energy efficiency projects other than conservation and of all net revenues shall be credited to a special local account created under section 17 of this act, the use of which shall be limited, in priority order, to ongoing operation, maintenance, and improvements of energy systems and energy efficiency measures, to other ongoing and deferred maintenance, and to other infrastructure improvements at the facility that was the site of the conservation or cogeneration project.

(4) The state's share of net savings from energy efficiency projects other than conservation and of all net revenues, and any portion of the host agency's share which exceeds its needs for the purposes specified in subsection (3) of this section, shall be deposited in the energy efficiency services account established by section 11 of this act.

(5) The use by state host agencies of net savings and net revenues from energy efficiency projects shall be in addition to, and shall not supplant or replace, funding from traditional sources for their normal operations and maintenance or capital budgets. It is the intent of this subsection to ensure that such institutions receive the full benefit intended by this section, and that such effect will not be diminished by budget adjustments inconsistent with this intent.

(6) Energy efficiency projects in school districts, funded in whole or in part with state assistance provided under chapter 28A.525 RCW, or with the financing mechanisms authorized by this chapter, shall be subject to the provisions of this section governing the apportionment and use of savings and revenues from energy efficiency projects.

(7) For purposes of this section, "net" savings and revenues shall mean savings and revenues remaining after payment of project capital costs, including debt service, and other payments and reserves as required by a bond resolution or loan agreement under this chapter, and payment of project operating and maintenance expenses. The energy office shall develop guidelines and procedures for determining net savings and net revenues for energy efficiency projects at state facilities by April 1, 1992.

(8) The energy office shall report annually until the year 2006 to the director of the office of financial management and the chairs of the senate ways and means committee and the appropriate house of representatives fiscal committees regarding the amount of

savings and revenues from energy conservation and cogeneration retained by individual state agencies.

Sec. 13. RCW 39.35.030 and 1982 c 159 s 3 are each amended to read as follows:

For the purposes of this chapter the following words and phrases shall have the following meanings unless the context clearly requires otherwise:

(1) "Public agency" means every state office, officer, board, commission, committee, bureau, department, and all political subdivisions of the state.

(2) "Office" means the Washington state energy office.

(3) "Major facility" means any publicly owned or leased building having twenty-five thousand square feet or more of usable floor space.

(4) "Initial cost" means the moneys required for the capital construction or renovation of a major facility.

(5) "Renovation" means additions, alterations, or repairs within any twelve-month period which exceed fifty percent of the value of a major facility and which will affect any energy system.

(6) "Economic life" means the projected or anticipated useful life of a major facility as expressed by a term of years.

(7) "Life-cycle cost" means the initial cost and cost of operation of a major facility over its economic life. This shall be calculated as the initial cost plus the operation, maintenance, and energy costs over its economic life, reflecting anticipated increases in these costs discounted to present value at the current rate for borrowing public funds, as determined by the ~~((state finance committee))~~ office of financial management. The energy cost(s) projections used shall be those ~~((projected))~~ provided by the state energy office. The office shall update ~~((the))~~ these projections ~~((of energy costs))~~ at least every two years.

(8) "Life-cycle cost analysis" includes, but is not limited to, the following elements:

(a) The coordination and positioning of a major facility on its physical site;

(b) The amount and type of fenestration employed in a major facility;

(c) The amount of insulation incorporated into the design of a major facility;

(d) The variable occupancy and operating conditions of a major facility; and

(e) An energy-consumption analysis of a major facility.

(9) "Energy systems" means all utilities, including, but not limited to, heating, air-conditioning, ventilating, lighting, and the supplying of domestic hot water.

(10) "Energy-consumption analysis" means the evaluation of all energy systems and components by demand and type of energy including the internal energy load imposed on a major facility by its occupants, equipment, and components, and the external energy load imposed on a major facility by the climatic conditions of its location. An energy-consumption analysis of the operation of energy systems of a major facility shall include, but not be limited to, the following elements:

(a) The comparison of three or more system alternatives, at least one of which shall include renewable energy systems;

(b) The simulation of each system over the entire range of operation of such facility for a year's operating period; and

(c) The evaluation of the energy consumption of component equipment in each system considering the operation of such components at other than full or rated outputs.

The energy-consumption analysis shall be prepared by a professional engineer or licensed architect who may use computers or such other methods as are capable of producing predictable results.

(11) "Renewable energy systems" means methods of facility design and construction and types of equipment for the utilization of renewable energy sources including, but not limited to, active or passive solar space heating or cooling, domestic solar water heating, windmills, waste heat, biomass and/or refuse-derived fuels, ~~((cogenerated energy))~~ photovoltaic devices, and geothermal energy.

(12) "Cogeneration" means the sequential generation of two or more forms of energy from a common fuel or energy source. Where these forms are electricity and thermal energy, then the operating and efficiency standards established by 18 C.F.R. Sec. 292.205 and the definitions established by 18 C.F.R. 292.202 (c) through (m) as of the effective date of this act shall apply.

NEW SECTION. Sec. 14. A new section is added to chapter 39.35 RCW to read as follows:

The office, in consultation with affected public agencies, shall develop and issue guidelines for administering this chapter. The purpose of the guidelines is to define a procedure and method for performance of life-cycle cost analysis to promote the selection of low-life-cycle cost alternatives. At a minimum, the guidelines must contain provisions that:

- (1) Address energy considerations during the planning phase of the project;
- (2) Identify energy components and system alternatives including renewable energy systems and cogeneration applications prior to commencing the energy consumption analysis;
- (3) Establish times during the design process for preparation, review, and approval or disapproval of the life-cycle cost analysis;
- (4) Specify the assumptions to be used for escalation and inflation rates, equipment service lives, economic building lives, and maintenance costs;
- (5) Determine life-cycle cost analysis format and submittal requirements to meet the provisions of this chapter;
- (6) Provide for review and approval of life-cycle cost analysis.

NEW SECTION. Sec. 15. A new section is added to chapter 39.35 RCW to read as follows:

The energy office may impose fees upon affected public agencies for the review of life-cycle cost analyses. The fees shall be deposited in the energy efficiency services account established in section 11 of this act. The purpose of the fee is to recover the costs by the office for review of the analyses. The office shall set fees at a level necessary to recover all of its costs related to increasing the energy efficiency of state-supported new construction. The fees shall not exceed one-tenth of one percent of the total cost of any project or exceed two thousand dollars for any project unless mutually agreed to. The office shall provide detailed calculation ensuring that the energy savings resulting from its review of life-cycle cost analysis justify the costs of performing that review.

NEW SECTION. Sec. 16. The energy office may adopt rules to implement sections 4 through 6, 12, and 14 of this act.

Sec. 17. RCW 43.88.195 and 1979 c 151 s 140 are each amended to read as follows:

After August 11, 1969, no state agency, state institution, state institution of higher education, which shall include all state universities, regional universities, The Evergreen State College, and community colleges, shall establish any new accounts or funds which are to be located outside of the state treasury: PROVIDED, That the office of financial management shall be authorized to grant permission for the establishment of such an account or fund outside of the state treasury only when the requesting agency presents compelling reasons of economy and efficiency which could not be achieved by placing such funds in the state treasury. When the director of financial management authorizes the creation of such fund or account, ~~((he))~~ the director shall forthwith give written notice of the fact to the standing committees on ways and means of the house and senate: PROVIDED FURTHER, That the office of financial management may grant permission for the establishment of accounts outside of the state treasury for the purposes of section 11 of this act.

Sec. 18. 1989 1st ex.s. c 12 s 301 (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE ENERGY OFFICE

Energy conservation projects (90-4-001)

The appropriation in this section is subject to the following conditions and limitations: The department shall contract with the following agencies for the amounts specified to undertake energy conservation projects. Each contract shall require the agencies listed below to deposit into the energy ~~((conservation account, hereby created in the state treasury))~~ efficiency services account, created in section 11 of this act, an amount equal to the contract amount. The payback period for the contracted amount shall be determined by the department, but shall not exceed six years.

(1) No more than \$1,033,000 shall be expended for energy conservation projects for Military Department facilities;

(2) No more than \$361,600 shall be expended for energy conservation projects for the department of social and health services;

(3) No more than \$552,000 shall be expended for energy conservation projects for The Evergreen State College.

	Reappropriation	Appropriation
St Bldg Constr Acct		1,946,600
Prior Biennia	Future Biennia	Total
	2,199,000	4,145,600

NEW SECTION. Sec. 19. Sections 3 through 12 and 16 of this act shall constitute a new chapter in Title 39 RCW.

NEW SECTION. Sec. 20. 1982 c 159 s 6 (uncodified) is hereby repealed.

NEW SECTION. Sec. 21. 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.

On page 1, line 1 of the title, after "policy;" strike the remainder of the title and insert "amending RCW 39.35.030 and 43.88.195; amending 1989 1st ex.s. c 12 s 301 (uncodified); adding new sections to chapter 43.21F RCW; adding a new chapter to Title 39 RCW; adding new sections to chapter 39.35 RCW; and repealing 1982 c 159 s 6 (uncodified)."

Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Braddock; Fraser; Heavey; Jacobsen; Ogden; Peery; and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Schmidt, Ranking Minority Member; Neher, Assistant Ranking Minority Member; Beck; Brough; Casada; and Silver.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1027 Prime Sponsor, Representative Rust: Adopting oil and hazardous substance spill prevention and response provisions. Reported by Committee on Environmental Affairs

MAJORITY recommendation: That Substitute House Bill No. 1027 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Bray; Brekke; G. Fisher; Phillips; Pruitt; and Sprenkle.

MINORITY recommendation: Without recommendation. Signed by Representatives Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Neher; D. Sommers; and Van Luven.

Referred to Committee on Revenue.

March 4, 1991

HB 1028 Prime Sponsor, Representative Pruitt: Making major changes to air quality laws. Reported by Committee on Environmental Affairs

MAJORITY recommendation: That Substitute House Bill No. 1028 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Bray; Brekke; G. Fisher; Phillips; Pruitt; and Sprenkle.

MINORITY recommendation: Do not pass. Signed by Representatives Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Neher; and Van Luven.

Excused: Representative D. Sommers.

Referred to Committee on Revenue.

March 6, 1991

HB 1054 Prime Sponsor, Representative Leonard: Revising provisions for reports of abuse of children or adult dependent or developmentally disabled persons. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1054 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Excused: Representative Anderson.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1070 Prime Sponsor, Representative Braddock: Repealing provisions regarding medical test sites. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1070 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Moyer, Ranking Minority Member; Franklin; Morris; Paris; and Sprenkle.

MINORITY recommendation: Do not pass. Signed by Representatives Day, Vice Chair; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; and Prentice.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1119 Prime Sponsor, Representative Rayburn: Allowing port districts to contract for indebtedness. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Cantwell, Chair; Sheldon, Vice Chair; Forner, Ranking Minority Member; Betzoff, Assistant Ranking Minority Member; Ferguson; Kremen; Ludwig; Moyer; Rasmussen; Riley; and Roland.

Excused: Representatives Ferguson and Riley.

Referred to Committee on Capital Facilities & Financing.

March 6, 1991

HB 1123 Prime Sponsor, Representative Braddock: Concerning nursing home auditing and cost reimbursement. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1123 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprengle.

Excused: Representatives Edmondson and Franklin.

Referred to Committee on Appropriations.

March 6, 1991

HB 1131 Prime Sponsor, Representative Valle: Prohibiting municipal employees' conflicts of interest. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1135 Prime Sponsor, Representative Haugen: Adjusting city/state street responsibility. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 1135 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betzoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representatives Cooper and Prince.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1150 Prime Sponsor, Representative Spanel: Clarifying port commissioner elections. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1150 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Nelson; Roland; Wood; Wynne; and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Cooper, Vice Chair; Bray; Edmondson; Franklin; Horn; Nealey; and Rayburn.

Passed to Committee on Rules for second reading.

March 4, 1991

HB 1158 Prime Sponsor, Representative Brekke: Providing for minors incapacitated by alcohol and other drugs. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1158 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Anderson; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Excused: Representative Riley, Vice Chair.

Referred to Committee on Appropriations.

March 6, 1991

HB 1198 Prime Sponsor, Representative Hine: Regulating the placement of electrical facilities. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1198 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Franklin; Nealey; Nelson; Rayburn; and Roland.

MINORITY recommendation: Do not pass. Signed by Representatives Edmondson; Horn; Wood; Wynne; and Zellinsky.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1207 Prime Sponsor, Representative Cole: Revising information requirements for contractor registration. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1207 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Excused: Representative O'Brien.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1209 Prime Sponsor, Representative Sheldon: Requiring filing officer to determine a candidate's registry and residence. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 1209 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Excused: Representative O'Brien.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1251 Prime Sponsor, Representative Wilson: Regulating oil transmission lines. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1251 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Franklin; Horn; Nelson; Rayburn; Roland; Wynne; and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Edmondson; Nealey; and Wood.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1265 Prime Sponsor, Representative Valle: Restricting subdivision alterations that diminish dedications. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1265 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1275 Prime Sponsor, Representative Haugen: Adjusting provisions relating to local government. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1275 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1288 Prime Sponsor, Representative Cole: Regulating the employment of minors. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; Prentice; and Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; and Vance.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1295 Prime Sponsor, Representative Wood: Establishing a physical access committee at each institution of higher education. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: The substitute bill by Committee on Higher Education be substituted therefor, and the substitute bill do pass with the following amendment:

On page 1, line 7, after "shall" insert "use an existing committee or"

Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schmidt, Ranking Minority Member; Neher, Assistant Ranking Minority Member; Beck; Braddock; Brough; Casada; Fraser; Heavey; Jacobsen; Ogden; Peery; Silver; and Wang.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1320 Prime Sponsor, Representative R. Meyers: Requiring full disclosure of civil court proceedings relating to public hazards. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1320 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Belcher; Hargrove; Inslee; Locke; R. Meyers; H. Myers; Riley; Scott; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Paris, Assistant Ranking Minority Member; Broback; Forner; Mielke; D. Sommers; Tate; and Vance.

Voting nay: Representatives Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Broback; Forner; Mielke; D. Sommers; Tate; and Vance.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1336 Prime Sponsor, Representative Leonard: Regulating the screening of prospective residential tenants. Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Bill No. 1336 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Ballard; Leonard; Ogden; and Wineberry.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1341 Prime Sponsor, Representative Sheldon: Providing economic assistance to timber dependent communities. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: That Substitute House Bill No. 1341 be substituted therefor, and the substitute bill do pass. Signed by Representatives Cantwell, Chair; Sheldon, Vice Chair; Forner, Ranking Minority Member; Betzoff, Assistant Ranking Minority Member; Ferguson; Kremen; Ludwig; Moyer; Rasmussen; Riley; and Roland.

Referred to Committee on Appropriations.

March 6, 1991

HB 1343 Prime Sponsor, Representative Sprengle: Permitting HIV testing of accused sex offenders. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1343 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Scott; D. Sommers; Tate; and Vance.

MINORITY recommendation: Do not pass. Signed by Representatives Riley and Wineberry.

Referred to Committee on Appropriations.

March 6, 1991

HB 1356 Prime Sponsor, Representative Heavey: Revising provisions for regulation of plumbing. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Franklin; Jones; R. King; O'Brien; Prentice; and Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; and Vance.

Voting nay: Representatives Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Vance; and Wilson.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1368 Prime Sponsor, Representative Haugen: Placing conditions on local improvement district assessments against department of wildlife land. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1368 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1379 Prime Sponsor, Representative Cooper: Prohibiting connection of a sewer without approval of sewer districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1399 Prime Sponsor, Representative Beck: Expanding electronic equipment warranties. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1399 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

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

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1407 Prime Sponsor, Representative Dellwo: Defining procedure for investment of state funds. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 1407 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

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

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1410 Prime Sponsor, Representative Scott: Creating educational programs to help mothers avoid the use of controlled substances and alcohol during pregnancy. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1410 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Excused: Representatives Anderson; Brekke; and H. Myers.

Referred to Committee on Appropriations.

March 5, 1991

HB 1441 Prime Sponsor, Representative Inslee: Revising provisions for sale and renewal of automobile insurance. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute House Bill No. 1441 be substituted therefor, and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Anderson; Dorn; Inslee; R. Johnson; R. Meyers; Schmidt; Scott; and Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Broback, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; and Paris.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1459 Prime Sponsor, Representative Sprenkle: Creating a comprehensive approach to recycling and recyclable material markets. Reported by Committee on Environmental Affairs

MAJORITY recommendation: That Substitute House Bill No. 1459 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Bray; Brekke; G. Fisher; Phillips; Pruitt; and Sprenkle.

MINORITY recommendation: Do not pass. Signed by Representatives Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Neher; D. Sommers; and Van Luyen.

Referred to Committee on Revenue.

March 6, 1991

HB 1530 Prime Sponsor, Representative Day: Regulating fund raising for veterans' charities or programs. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 1530 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; R. Fisher; Grant; O'Brien; and Sheldon.

MINORITY recommendation: Do not pass. Signed by Representatives McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; and Moyer.

Referred to Committee on Appropriations.

March 5, 1991

HB 1535 Prime Sponsor, Representative Cooper: Requiring radon testing. Reported by Committee on Energy & Utilities

MAJORITY recommendation: That Substitute House Bill No. 1535 be substituted therefor, and the substitute bill do pass. Signed by Representatives Grant, Chair; H. Myers, Vice Chair; May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Bray; Casada; Cooper; R. Fisher; Jacobsen; Miller; and Rayburn.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1536 Prime Sponsor, Representative Anderson: Continuing hospice services an additional two years for medical assistance recipients. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Holland; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Valle; Vance; Wang; and Wineberry.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1542 Prime Sponsor, Representative Cooper: Providing for the expansion of programs for developmentally disabled adults. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1542 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

Excused: Representatives Edmondson and Franklin.

Referred to Committee on Appropriations.

March 5, 1991

HB 1544 Prime Sponsor, Representative Dellwo: Regulating third party administrators. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute House Bill No. 1544 be substituted therefor, and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Broback, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Anderson; Dorn; Inslee; R. Johnson; R. Meyers; Paris; Schmidt; Scott; and Winsley.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1546 Prime Sponsor, Representative Nelson: Changing provisions relating to property tax levies by port districts. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1546 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Horn; Nelson; Roland; Wood; Wynne; and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Nealey; and Rayburn.

Referred to Committee on Revenue.

March 6, 1991

HB 1550 Prime Sponsor, Representative Phillips: Providing for early intervention and prevention projects. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1550 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Excused: Representative Anderson.

Referred to Committee on Appropriations.

March 6, 1991

HB 1556 Prime Sponsor, Representative Appelwick: Limiting the strict liability of pharmacists. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1556 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Insee; Locke; R. Meyers; Mielke; H. Myers; Scott; D. Sommers; Tate; Vance; and Wineberry.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1561 Prime Sponsor, Representative Anderson: Creating the tort claims revolving fund. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 1, after line 6, strike all material through "RCW 4.92.210." on page 2, line 2 and insert:

"The tort claims revolving fund is created in the custody of the treasurer to be used solely and exclusively for the payment of claims arising out of tortious conduct taking place prior to July 1, 1990 and against both the state and its officers, employees, and volunteers for whom the defense of the claims was authorized under RCW 4.92.070.

Monies paid from the revolving fund for any claim are limited to the amount by which the claim exceeds the amount available to the claimant from any valid and collectible liability insurance. Payment from the revolving fund shall not be made until the claim has been approved for payment in accordance with RCW 4.92.210."

Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1562 Prime Sponsor, Representative Anderson: Modifying the department of general administration's duties regarding excess receipts from building rent. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1576 Prime Sponsor, Representative R. Meyers: Restricting the location of medical examinations required by certain insurers. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute House Bill No. 1576 be substituted therefor, and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Anderson; Dorn; Insee; R. Johnson; R. Meyers; and Scott.

MINORITY recommendation: Do not pass. Signed by Representatives Broback, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Paris; Schmidt; and Winsley.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1578 Prime Sponsor, Representative Appelwick: Authorizing owners of property in the vicinity of a county road to petition for its vacation. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1583 Prime Sponsor, Representative Sheldon: Creating the Washington public forest commission. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: That Substitute House Bill No. 1583 be substituted therefor, and the substitute bill do pass. Signed by Representatives Cantwell, Chair; Sheldon, Vice Chair; Forner, Ranking Minority Member; Betrozoff, Assistant Ranking Minority Member; Ferguson; Kremen; Ludwig; Moyer; Rasmussen; Riley; and Roland.

Referred to Committee on Appropriations.

March 5, 1991

HB 1600 Prime Sponsor, Representative Basich: Providing employment opportunities for certain timber workers. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendment:  
On page 3, line 26, after "RCW." strike "Compensation for the counter-cyclical program shall be at least nine dollars per hour of employment."

Signed by Representatives Cantwell, Chair; Sheldon, Vice Chair; Forner, Ranking Minority Member; Betrozoff, Assistant Ranking Minority Member; Ferguson; Kremen; Ludwig; Moyer; Rasmussen; Riley; and Roland.

Excused: Representatives Ferguson and Riley.

Referred to Committee on Appropriations.

March 6, 1991

HB 1607 Prime Sponsor, Representative Horn: Providing for liens for delinquent service charges of storm water control facilities and city-owned sewer systems. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1610 Prime Sponsor, Representative Leonard: Making multiple changes to the mobile home landlord tenant act. Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Bill No. 1610 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Ballard; Leonard; Ogden; and Wineberry.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1624 Prime Sponsor, Representative Nelson: Changing provisions relating to the housing trust fund. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: The substitute bill by Committee on Housing be substituted therefor, and the substitute bill do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 43.185.010 and 1986 c 298 s 1 are each amended to read as follows:

The legislature finds that current economic conditions, federal housing policies and declining resources at the federal, state, and local level adversely affect the ability of low and very low-income persons to obtain safe, decent, and affordable housing.

The legislature further finds that members of over one hundred twenty thousand households live in housing units which are overcrowded, lack plumbing, are otherwise threatening to health and safety, and have rents and utility payments which exceed thirty percent of their income.

The legislature further finds that minorities, rural households, and migrant farm workers require housing assistance at a rate which significantly exceeds their proportion of the general population.

The legislature further finds that one of the most dramatic housing needs is that of persons needing special housing-related services, such as the mentally ill, recovering alcoholics, frail elderly persons, and single parents. These services include medical assistance, counseling, chore services, and child care.

The legislature further finds that housing assistance programs in the past have often failed to help those in greatest need.

The legislature declares that it is in the public interest to establish a continuously renewable resource known as ~~((a))~~ the housing trust fund and housing assistance program to assist low and very low-income citizens in meeting their basic housing needs, and that the needs of very low-income citizens should be given priority and that whenever feasible, assistance should be in the form of loans.

NEW SECTION. Sec. 2. A new section is added to chapter 43.185 RCW to read as follows:

There is created within the department of community development the housing assistance program to carry out the purposes of this chapter.

Sec. 3. RCW 43.185.030 and 1987 c 513 s 6 are each amended to read as follows:

There is hereby created a fund in the office of the treasurer known as the Washington housing trust fund. The housing trust fund shall include revenue from the sources established by this chapter, appropriations by the legislature, private contributions, repayment of loans, and all other sources. ~~((Eighty percent of the return on the fund in the form of investment income or interest shall be added to the principal of the fund. The remaining twenty percent shall be placed in the general fund.))~~

Sec. 4. RCW 43.185.050 and 1986 c 298 s 6 are each amended to read as follows:

(1) The department shall use ~~((funds))~~ moneys from the housing trust fund and other legislative appropriations to finance in whole or in part any loans or grant projects that will provide housing for persons and families with special housing needs and with incomes at or below fifty percent of the median family income for the county or standard metropolitan statistical area where the project is located. ~~((Not less than))~~ At least thirty percent of ~~((such funds))~~ these moneys used in any given ~~((biennium))~~ funding cycle shall be for the benefit of projects located in rural areas ~~((as defined in 63 Stat. 432, 42 U.S.C. Sec. 1471 et seq))~~ of the state as defined by the department of community development. If the department determines that it has not received an adequate number of suitable applications for rural projects during any given funding cycle, the department may allocate unused moneys for projects in nonrural areas of the state.

(2) Activities eligible for assistance from the housing trust fund and other legislative appropriations include, but are not limited to:

(a) New construction, rehabilitation, or acquisition of low and very low-income housing units;

(b) Rent subsidies ~~((in new construction or rehabilitated multifamily units));~~

(c) Matching funds for social services directly related to providing housing for special-need tenants in assisted projects;

(d) Technical assistance, design and finance services and consultation, and administrative costs for eligible nonprofit community or neighborhood-based organizations;

(e) Administrative costs for housing assistance groups or organizations when such grant or loan will substantially increase the recipient's access to housing funds other than those available under this chapter;

(f) Shelters and related services for the homeless;

(g) Mortgage subsidies ~~((for new construction or rehabilitation of eligible multifamily units)), including temporary rental and mortgage payment subsidies to prevent homelessness;~~

(h) Mortgage insurance guarantee or payments for eligible projects; ~~((and))~~

(i) Down payment or closing cost assistance for eligible first-time home buyers; and

(j) Acquisition of housing units for the purpose of preservation as low-income or very low-income housing.

(3) Legislative appropriations from capital bond proceeds and moneys from repayment of loans from appropriations from capital bond proceeds may be used only for the costs of projects authorized under subsection (2) (a), (i), and (j) of this section, and not for the administrative costs of the department.

Sec. 5. RCW 43.185.070 and 1988 c 286 s 1 are each amended to read as follows:

(1) During each calendar year in which funds from the housing trust fund or other legislative appropriations are available for use by the department ~~((from the housing trust fund, as prescribed in RCW 43.185.030))~~ for the housing assistance program, the department shall announce to all known interested parties, and through major media throughout the state, a grant and loan application period of at least ninety days' duration. This announcement shall be made as often as the director deems appropriate for proper utilization of resources ~~((, but at least twice annually)).~~ The department shall then promptly grant as many applications as will utilize available funds less appropriate administrative costs of the department ~~((, not to)).~~ Administrative costs paid out of the housing trust fund may not exceed ~~((thirty-seven thousand five hundred dollars in the fiscal year ending June 30, 1988, and seventy-five thousand dollars in the fiscal year ending June 30, 1989, and not to exceed))~~ five percent of annual revenues ~~((to the fund thereafter))~~ available for distribution to housing trust fund projects. In awarding funds under this chapter, the department shall provide for a geographic distribution on a state-wide basis.

(2) The department shall give first priority to applications for projects and activities which utilize existing privately owned housing stock including privately owned housing stock purchased by nonprofit public development authorities and public housing authorities as created in chapter 35.82 RCW. As used in this subsection, privately owned housing stock includes housing that is acquired by a federal agency through a default on the mortgage by the private owner. Such projects and activities shall be evaluated under subsection (3) of this section. Second priority shall be given to activities and projects which utilize existing publicly owned housing stock. Such projects and activities shall be evaluated by some or all of the criteria under subsection (3) of this section, and similar projects and activities shall be evaluated under the same criteria.

(3) The department shall give preference for applications based on the following criteria:

- (a) The degree of leveraging of other funds that will occur;
- (b) Recipient contributions to total project costs, including allied contributions from other sources such as professional, craft and trade services, and lender interest rate subsidies;
- (c) Local government project contributions in the form of infrastructure improvements, and others;
- (d) Projects that encourage ownership, management, and other project-related responsibility opportunities;
- (e) Projects that demonstrate a strong probability of serving the original target group or income level for a period of at least ~~((fifteen))~~ twenty-five years;
- (f) The applicant has the demonstrated ability, stability and resources to implement the project;
- (g) Projects which demonstrate serving the greatest need; ~~((and))~~
- (h) Projects that provide housing for persons and families with the lowest incomes;
- (i) Project location and access to employment centers in the region or area; and
- (j) Project location and access to available public transportation services.

Sec. 6. RCW 43.185.080 and 1986 c 298 s 9 are each amended to read as follows:

(1) The department may use moneys from the housing trust fund and other legislative appropriations, but not appropriations from capital bond proceeds, to provide preconstruction technical assistance to eligible recipients seeking to construct, rehabilitate, or finance housing-related services for very low and low-income persons. The department shall emphasize providing preconstruction technical assistance services to rural areas and small cities and towns. The department may contract with nonprofit organizations to provide this technical assistance. The department may contract for any of the following services:

- (a) Financial planning and packaging for housing projects, including alternative ownership programs, such as limited equity partnerships and syndications;
- (b) Project design, architectural planning, and siting;
- (c) Compliance with planning requirements;
- (d) Securing matching resources for project development;
- (e) Maximizing local government contributions to project development in the form of land donations, infrastructure improvements, waivers of development fees, locally and state-managed funds, zoning variances, or creative local planning;
- (f) Coordination with local planning, economic development, and environmental, social service, and recreational activities;
- (g) Construction and materials management; and
- (h) Project maintenance and management.

(2) The department shall publish requests for proposals which specify contract performance standards, award criteria, and contractor requirements. In evaluating proposals, the department shall consider the ability of the contractor to provide technical assistance to low and very low-income persons and to persons with special housing needs.

NEW SECTION. Sec. 7. A new section is added to chapter 43.185 RCW to read as follows:

The department shall adopt policies to ensure that the state's interest will be protected upon either the sale or change of use of projects financed in whole or in part under section 4(2)(a), (i), and (j) of this act. These policies may include, but are not limited to: (1) Requiring a share of the appreciation in the project in proportion to the state's contribution to the project; (2) requiring a lump-sum repayment of the loan or grant upon the sale or change of use of the project; or (3) requiring a deferred payment of principal or principal and interest on loans after a specified time period.

NEW SECTION. Sec. 8. A new section is added to chapter 43.185 RCW to read as follows:

If any part of this act is found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. The rules under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 9. Sections 9 through 19 of this act may be known and cited as the affordable housing act.

NEW SECTION. Sec. 10. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Affordable housing" means residential housing for rental or private individual ownership which, as long as the same is occupied by low-income households, requires payment of monthly housing costs, including utilities other than telephone, of no more than thirty percent of the family's income.

(2) "Department" means the department of community development.

(3) "Director" means the director of the department of community development.

(4) "First-time home buyer" means an individual or his or her spouse who have not owned a home during the three-year period prior to purchase of a home.

(5) "Low-income household" means a single person, family or unrelated persons living together whose adjusted income is less than eighty percent of the median family income, adjusted for household size, for the county where the project is located.

NEW SECTION. Sec. 11. The affordable housing program is created in the department of community development for the purpose of developing and coordinating public and private resources targeted to meet the affordable housing needs of low-income households in the state of Washington. The program shall be developed and administered by the department with advice and input from the low-income assistance advisory committee established in RCW 43.185.110.

NEW SECTION. Sec. 12. (1) Using moneys specifically appropriated for such purpose, the department shall finance in whole or in part projects that will provide housing for low-income households.

(2) Activities eligible for assistance include, but are not limited to:

(a) New construction, rehabilitation, or acquisition of housing for low-income households;

(b) Rent subsidies in new construction or rehabilitated multifamily units;

(c) Down payment or closing costs assistance for first-time home buyers;

(d) Mortgage subsidies for new construction or rehabilitation of eligible multifamily units; and

(e) Mortgage insurance guarantee or payments for eligible projects.

(3) Legislative appropriations from capital bond proceeds and moneys from repayment of loans from appropriations from capital bond proceeds may be used only for

the costs of projects authorized under subsection (2)(a), (c), (d), and (e) of this section, and not for the administrative costs of the department.

NEW SECTION. Sec. 13. Organizations that may receive assistance from the department under this chapter are local governments, local housing authorities, nonprofit community or neighborhood-based organizations, and regional or state-wide nonprofit housing assistance organizations.

NEW SECTION. Sec. 14. (1) During each calendar year in which funds are available for use by the department for the affordable housing program, the department shall announce to all known interested parties, and through major media throughout the state, a grant and loan application period of at least ninety days' duration. This announcement shall be made as often as the director deems appropriate for proper utilization of resources. The department shall then promptly grant as many applications as will utilize available funds less appropriate administrative costs of the department, not to exceed five percent of moneys appropriated to the affordable housing program.

(2) The department shall develop, with advice and input from the low-income assistance advisory committee established in RCW 43.185.110, criteria to evaluate applications for assistance under this chapter.

NEW SECTION. Sec. 15. The department shall adopt policies to ensure that the state's interest will be protected upon either the sale or change of use of projects financed in whole or in part under section 11(2)(a), (c), (d), and (e) of this act. These policies may include, but are not limited to: (1) Requiring a share of the appreciation in the project in proportion to the state's contribution to the project; (2) requiring a lump-sum repayment of the loan or grant upon the sale or change of use of the project; or (3) requiring a deferred payment of principal or principal and interest on loans after a specified time period.

NEW SECTION. Sec. 16. The director shall monitor the activities of recipients of grants and loans under this chapter to determine compliance with the terms and conditions set forth in its application or stated by the department in connection with the grant or loan.

NEW SECTION. Sec. 17. The department shall have the authority to promulgate rules pursuant to chapter 34.05 RCW, regarding the grant and loan process, and the substance of eligible projects, consistent with this chapter.

NEW SECTION. Sec. 18. 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. 19. If any part of this act is found to be in conflict with federal requirements which are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. The rules under this act shall meet federal requirements which are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 20. Sections 9 through 19 of this act shall constitute a new chapter in Title 43 RCW.

On page 1, line 1 of the title, after "fund;" strike the remainder of the title and insert "amending RCW 43.185.010, 43.185.030, 43.185.050, 43.185.070, and 43.185.080; and adding new sections to chapter 43.185 RCW; and adding a new chapter to Title 43 RCW."

Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schmidt, Ranking Minority Member; Neher, Assistant Ranking Minority

Member; Beck; Braddock; Brough; Casada; Fraser; Heavey; Jacobsen; Ogden; Peery; Silver; and Wang.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1625 Prime Sponsor, Representative McLean: Removing the requirement for the development of a plan for voluntary combined reporting for agricultural employers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Excused: Representative O'Brien.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1631 Prime Sponsor, Representative Wineberry: Establishing in statute the commission on African-American affairs. Reported by Committee on Appropriations

MAJORITY recommendation: That Substitute House Bill No. 1631 be substituted therefor, and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Brekke; Dorn; Ferguson; Fuhrman; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Vance; Wang; and Wineberry.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1635 Prime Sponsor, Representative Haugen: Providing for taxes to fund emergency medical care services. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1635 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Referred to Committee on Revenue.

March 6, 1991

HB 1639 Prime Sponsor, Representative R. King: Requiring union labels on state printing. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; R. Fisher; Grant; O'Brien; and Sheldon.

MINORITY recommendation: Do not pass. Signed by Representatives McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; and Moyer.

Referred to Committee on Appropriations.

March 5, 1991

HB 1649 Prime Sponsor, Representative Rust: Updating municipality water discharge fees. Reported by Committee on Environmental Affairs

MAJORITY recommendation: That Substitute House Bill No. 1649 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Bray; Brekke; G. Fisher; Phillips; Pruitt; and Sprenkle.

MINORITY recommendation: Do not pass. Signed by Representatives Edmondson, Assistant Ranking Minority Member; Neher; and D. Sommers.

Excused: Representative Van Luvan.

Referred to Committee on Revenue.

March 6, 1991

HB 1652 Prime Sponsor, Representative Braddock: Authorizing video card games for nonprofit organizations. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1652 be substituted therefor, and the substitute bill do pass. Signed by Representatives Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; and Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; and Vance.

Referred to Committee on Revenue.

March 5, 1991

HB 1669 Prime Sponsor, Representative Cantwell: Changing provisions relating to growth strategies. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: That Substitute House Bill No. 1669 be substituted therefor, and the substitute bill do pass. Signed by Representatives Cantwell, Chair; Sheldon, Vice Chair; Forner, Ranking Minority Member; Betrozoff, Assistant Ranking Minority Member; Ferguson; Kremen; Ludwig; Moyer; Rasmussen; Riley; and Roland.

Referred to Committee on Appropriations.

March 4, 1991

HB 1671 Prime Sponsor, Representative R. Fisher: Changing provisions relating to growth strategies. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 1671 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Basich; Brough; Cantwell; Cooper; G. Fisher; Forner; Haugen; Heavey; Horn; R. Johnson; Jones; Kremen; Nelson; Prentice; Schmidt; Wilson; and Zellinsky.

MINORITY recommendation: Without recommendation. Signed by Representatives Chandler, Assistant Ranking Minority Member; Day; P. Johnson; Mitchell; Orr; and Wood.

Referred to Committee on Appropriations.

March 5, 1991

HB 1672 Prime Sponsor, Representative Nelson: Changing provisions relating to growth strategies. Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Bill No. 1672 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Leonard; Ogden; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Winsley, Assistant Ranking Minority Member; and Ballard.

Referred to Committee on Appropriations.

March 5, 1991

HB 1673 Prime Sponsor, Representative Rust: Changing provisions relating to growth strategies. Reported by Committee on Environmental Affairs

MAJORITY recommendation: That Substitute House Bill No. 1673 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; Neher; Phillips; Pruitt; and Sprenkle.

MINORITY recommendation: Do not pass. Signed by Representative D. Sommers.

Excused: Representative Van Luven.

Referred to Committee on Appropriations.

March 5, 1991

HB 1679 Prime Sponsor, Representative Orr: Creating the fire services trust fund. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Broback, Ranking Minority Member; Anderson; Dorn; Inslee; R. Johnson; R. Meyers; Paris; Schmidt; Scott; and Winsley.

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

Referred to Committee on Revenue.

March 5, 1991

HB 1690 Prime Sponsor, Representative Riley: Changing juvenile disposition standards. Reported by Committee on Appropriations

MAJORITY recommendation: That Substitute House Bill No. 1690 be substituted therefor, and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Appelwick; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Holland; May; McLean; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Vance; Wang; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Morton, Assistant Ranking Minority Member; Belcher; Lisk; Mielke; and Nealey.

Voting nay: Representatives Morton, Assistant Ranking Minority Member; Belcher; Bowman; Fuhrman; Lisk; Mielke; and Nealey.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1715 Prime Sponsor, Representative Rasmussen: Making the office of sheriff nonpartisan. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 1715 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; Bowman, Assistant Ranking Minority Member; Chandler; Grant; Moyer; O'Brien; and Sheldon.

MINORITY recommendation: Do not pass. Signed by Representatives McLean, Ranking Minority Member; and R. Fisher.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1717 Prime Sponsor, Representative Mielke: Requiring disclosure of the right to cancel mortgage insurance. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute House Bill No. 1717 be substituted therefor, and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Broback, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Anderson; Dorn; Inslee; R. Johnson; R. Meyers; Paris; Schmidt; and Scott.

MINORITY recommendation: Do not pass. Signed by Representatives Zellinsky, Vice Chair; and Winsley.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1727 Prime Sponsor, Representative Appelwick: Changing provisions relating to interpreters in legal proceedings. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1727 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Referred to Committee on Appropriations.

March 5, 1991

HB 1736 Prime Sponsor, Representative O'Brien: Establishing a system for payment for works of improvement on real property. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1736 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1737 Prime Sponsor, Representative Wineberry: Promoting minority and women-owned business opportunities. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: That Substitute House Bill No. 1737 be substituted therefor, and the substitute bill do pass. Signed by Representatives Cantwell, Chair; Sheldon, Vice Chair; Forner, Ranking Minority Member; Betzoff, Assistant Ranking Minority Member; Ferguson; Kremen; Ludwig; Moyer; Rasmussen; Riley; and Roland.

Referred to Committee on Appropriations.

March 6, 1991

HB 1760 Prime Sponsor, Representative Van Luven: Providing a procedure for consolidating cities or towns. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1774 Prime Sponsor, Representative Jacobsen: Creating a joint select committee on privacy and information technology. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Insee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representative R. Meyers.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1777 Prime Sponsor, Representative H. Sommers: Expediting new prison construction. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: The substitute bill by Committee on Human Services be substituted therefor, and the substitute bill do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature recognizes that fair and open competition is a basic tenet of public works procurement, that such competition reduces the appearance and opportunity for favoritism and inspires public confidence that contracts are awarded equitably and economically, and effective monitoring mechanisms are important means of curbing any improprieties and establishing public confidence in the process by which contractual services are procured. The legislature finds that there exists an urgent need for additional correctional facilities due to the inadequate capacity of existing correctional facilities to accommodate the present size and predicted growth of offender populations. The legislature further finds that both the need and the urgency to construct additional state correctional facilities requires the temporary use of more expedient methods for awarding state construction contracts for correctional facilities.

NEW SECTION. Sec. 2. A new section is added to chapter 39.04 RCW to read as follows:

(1) In addition to currently authorized methods of public works contracting, and in lieu of the requirements of RCW 39.04.010 and 39.04.020 through 39.04.060, capital projects funded for over ten million dollars appropriated and authorized by the legislature for the department of corrections in the 1989-91 biennium at the McNeil Island corrections center, the Clallam Bay corrections center, the construction of new correctional facilities under the authority of the secretary of corrections including drug camps; work camps; a new medium security prison and such other correctional facilities as may be authorized by the legislature during the biennium ending June 30, 1993, may be accomplished under contract using the general contractor/construction manager method described in this section. For the purposes of this section, "general contractor/construction manager" means a firm with which the department of general administration has selected and negotiated a maximum allowable construction cost to be guaranteed by the firm, after competitive selection through a formal advertisement, and competitive bids to provide services that may include life-cycle cost design considerations, value engineering, scheduling, cost estimating, constructability, alternative construction options for cost savings, and sequencing of work, and to act as the general contractor during the construction phase. The department of general administration shall establish an independent oversight advisory committee with representatives of interest groups with an interest in this subject area, the department of corrections, and the private sector, to review selection and contracting procedures. The general contractor/construction manager method is limited to contracts signed before July 1, 1996.

(2) Contracts for the services of a general contractor/construction manager awarded under the authority of this section shall be awarded through a competitive process requiring the public solicitation of proposals for general contractor/construction manager services. Minority and women enterprise total project goals shall be specified in the bid instructions to the general contractor/construction manager finalists. The director of general administration is authorized to include an incentive clause in any contract awarded under this section for savings of either time or cost or both from that originally negotiated. No incentives granted shall exceed five percent of the maximum allowable construction cost. The director of general administration or his or her designee shall

establish a committee to evaluate the proposals considering such factors as ability of professional personnel; past performance in negotiated and complex projects; ability to meet time and budget requirements; location; recent, current, and projected work loads of the firm; and the concept of their proposal. After the committee has selected the most qualified finalists, these finalists shall submit sealed bids for the percent fee, which is the percentage amount to be earned by the general contractor/construction manager as overhead and profit, on the estimated maximum allowable construction cost and the fixed amount for the detailed specified general conditions work. The maximum allowable construction cost may be negotiated between the department of general administration and the selected firm after the scope of the project is adequately determined to establish a guaranteed contract cost for which the general contractor/construction manager will provide a performance and payment bond. The guaranteed contract cost includes the fixed amount for the detailed specified general conditions work, the negotiated maximum allowable construction cost, the percent fee on the negotiated maximum allowable construction cost, and sales tax. If the department of general administration is unable to negotiate a satisfactory maximum allowable construction cost with the firm selected that the department of general administration determines to be fair, reasonable, and within the available funds, negotiations with that firm shall be formally terminated and the department of general administration shall negotiate with the next low bidder and continue until an agreement is reached or the process is terminated. If the maximum allowable construction cost varies more than fifteen percent from the bid estimated maximum allowable construction cost due to requested and approved changes in the scope by the state, the percent fee shall be renegotiated. All subcontract work shall be competitively bid with public bid openings. Specific goals for women and minority enterprises shall be specified in each subcontract bid package that responsive bidders will have to meet or exceed. All subcontractors who bid work over one hundred thousand dollars shall post a bid bond and the awarded subcontractor shall provide a performance and payment bond for their contract amount if required by the general contractor/construction manager. The bidding of subcontract work by the general contractor/construction manager or its subsidiaries is prohibited but it may negotiate with the low-responsive bidder in accordance with RCW 39.04.015 or rebid if authorized by the director of general administration in the event no bids are received, the bids received are over the budget amount, or the subcontractor fails to perform.

(3) If the project is completed for less than the agreed upon maximum allowable construction cost, any savings not otherwise negotiated as part of an incentive clause shall accrue to the state. If the project is completed for more than the agreed upon maximum allowable construction cost, excepting increases due to any contract change orders approved by the state, the additional cost shall be the responsibility of the general contractor/construction manager.

(4) The powers and authority conferred by this section shall be construed as in addition and supplemental to powers or authority conferred by any other law, and nothing contained herein shall be construed as limiting any other powers or authority of the department of general administration.

NEW SECTION. Sec. 3. A new section is added to chapter 39.04 RCW to read as follows:

Methods of public works contracting authorized by sections 1 and 2 of this act shall remain in full force and effect until completion of contracts signed on or before June 30, 1996.

NEW SECTION. Sec. 4. 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. 5. 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 shall take effect immediately.

On page 1, line 1 of the title, after "construction;" strike the remainder of the title and insert "adding new sections to chapter 39.04 RCW; creating a new section; and declaring an emergency."

Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schmidt, Ranking Minority Member; Neher, Assistant Ranking Minority Member; Beck; Braddock; Brough; Casada; Fraser; Jacobsen; Ogden; Peery; Silver; and Wang.

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

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1794 Prime Sponsor, Representative Bray: Concerning public hospital districts elections. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1806 Prime Sponsor, Representative R. Meyers: Modifying the definition of "junk vehicle." Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 1806 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Former; Haugen; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representatives Heavey and Prince.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1811 Prime Sponsor, Representative Valle: Affecting student motivation programs. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1811 be substituted therefor; and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Berozoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Rasmussen; Roland; and H. Sommers.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1827 Prime Sponsor, Representative Haugen: Limiting the time for actions to be brought challenging elections. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1827 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1828 Prime Sponsor, Representative Appelwick: Providing regulations for the disclosure of health care records. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1828 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprengle.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1841 Prime Sponsor, Representative Leonard: Assisting mobile home tenants. Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Bill No. 1841 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Leonard; Ogen; and Wineberry.

MINORITY recommendation: Without recommendation. Signed by Representative Ballard.

Referred to Committee on Revenue.

March 6, 1991

HB 1843 Prime Sponsor, Representative Leonard: Establishing the children's early intervention program. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1843 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Excused: Representative Anderson

Referred to Committee on Appropriations.

March 6, 1991

HB 1847 Prime Sponsor, Representative Van Loven: Prohibiting any person who has worked for an agency from becoming an administrative law judge for that agency for five years. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 1847 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1858 Prime Sponsor, Representative Bray: Authorizing cities and towns to cash employee checks, drafts, and warrants. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1858 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Bray; Edmondson; Franklin; Horn; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Nealey; and Wynne.

Excused: Representative Wood.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1859 Prime Sponsor, Representative Appelwick: Changing support enforcement provisions. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1859 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Belcher; Broback; Forner; Inslee; Locke; R. Meyers; H. Myers; Riley; Scott; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Hargrove; Mielke; D. Sommers; Tate; and Vance.

Excused: Representative Wineberry.

Referred to Committee on Appropriations.

March 5, 1991

HB 1865 Prime Sponsor, Representative Rust: Providing for hazardous waste planning. Reported by Committee on Environmental Affairs

MAJORITY recommendation: That Substitute House Bill No. 1865 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Bray; Brekke; G. Fisher; Phillips; Pruitt; and Sprengle.

MINORITY recommendation: Do not pass. Signed by Representatives Horn, Vice Chair; Edmondson, Assistant Ranking Minority Member; Neher; and D. Sommers.

Excused: Representative Van Luven.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1868 Prime Sponsor, Representative Anderson: Restructuring administration of the department of transportation. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; R. Fisher; Grant; O'Brien; and Sheldon.

MINORITY recommendation: Do not pass. Signed by Representatives McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; and Moyer.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1880 Prime Sponsor, Representative Cole: Authorizing the replacement of school buses. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1880 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Betrozoff; Broback; Brumsickle; Cole; Dorn; P. Johnson; Neher; Orr; Phillips; Rasmussen; Roland; and H. Sommers.

Referred to Committee on Appropriations.

March 5, 1991

HB 1884 Prime Sponsor, Representative Ebersole: Providing for domestic violence programs and community response. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1884 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Referred to Committee on Appropriations.

March 6, 1991

HB 1886 Prime Sponsor, Representative H. Myers: Requiring drug and alcohol evaluation and treatment in the event of a vehicular crime. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1886 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1889 Prime Sponsor, Representative Locke: Increasing the maximum deductible an indigent person pays under the limited casualty program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Appelwick; Braddock; Dorn;

Ebersole; Ferguson; Hine; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Wang; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Belcher; Bowman; Brekke; Fuhrman; Holland; Lisk; May; McLean; Mielke; Nealey; and Vance.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1890 Prime Sponsor, Representative Braddock: Revising provisions for the regulation of nursing homes. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1890 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

Excused: Representatives Edmondson and Franklin.

Referred to Committee on Appropriations.

March 6, 1991

HB 1891 Prime Sponsor, Representative Braddock: Coordinating the basic health plan with medical assistance. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Paris; Prentice; and Sprenkle.

MINORITY recommendation: Without recommendation. Signed by Representative Morris.

Excused: Representatives Edmondson and Franklin.

Referred to Committee on Appropriations.

March 6, 1991

HB 1900 Prime Sponsor, Representative Scott: Providing protection for children from firearms. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1900 be substituted therefor, and the substitute bill do pass. Signed by Representatives

Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Locke; R. Meyers; H. Myers; Riley; Scott; D. Sommers; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Padden; Broback; Forner; Hargrove; Inslee; Mielke; Tate; and Vance.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1903 Prime Sponsor, Representative Scott: Requiring trigger-locking devices on handguns. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 1903 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1904 Prime Sponsor, Representative Cantwell: Creating the community partnership program. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: That Substitute House Bill No. 1904 be substituted therefor, and the substitute bill do pass. Signed by Representatives Cantwell, Chair; Sheldon, Vice Chair; Forner, Ranking Minority Member; Betzoff, Assistant Ranking Minority Member; Ferguson; Kremen; Ludwig; Moyer; Rasmussen; Riley; and Roland.

Referred to Committee on Appropriations.

March 5, 1991

HB 1913 Prime Sponsor, Representative Hargrove: Revising collective bargaining provisions for certain employees of the division of prisons of the department of corrections. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill by Committee on Human Services be substituted therefor, and the substitute bill do pass with the following amendments:

On page 4, after line 14, insert the following:

Sec. 4. RCW 41.56.030 and 1989 c 275 s 2 are each amended to read as follows:

As used in this chapter:

(1) "Public employer" means any officer, board, commission, council, or other person or body acting on behalf of any public body governed by this chapter as designated by RCW 41.56.020, or any subdivision of such public body. For the purposes of this section, the public employer of district court employees for wage-related matters is the respective county legislative authority, or person or body acting on behalf of the legislative authority, and the public employer for nonwage-related matters is the judge or judge's designee of the respective district court.

(2) "Public employee" means any employee of a public employer except any person (a) elected by popular vote, or (b) appointed to office pursuant to statute, ordinance or resolution for a specified term of office by the executive head or body of the public employer, or (c) whose duties as deputy, administrative assistant or secretary necessarily imply a confidential relationship to the executive head or body of the applicable bargaining unit, or any person elected by popular vote or appointed to office pursuant to statute, ordinance or resolution for a specified term of office by the executive head or body of the public employer, or (d) who is a personal assistant to a district judge or court commissioner. For the purpose of (d) of this subsection, no more than one assistant for each judge or commissioner may be excluded from a bargaining unit.

(3) "Bargaining representative" means any lawful organization which has as one of its primary purposes the representation of employees in their employment relations with employers.

(4) "Collective bargaining" means the performance of the mutual obligations of the public employer and the exclusive bargaining representative to meet at reasonable times, to confer and negotiate in good faith, and to execute a written agreement with respect to grievance procedures and collective negotiations on personnel matters, including wages, hours and working conditions, which may be peculiar to an appropriate bargaining unit of such public employer, except that by such obligation neither party shall be compelled to agree to a proposal or be required to make a concession unless otherwise provided in this chapter. In the case of the Washington state patrol and the employees covered under section 2 of this act, "collective bargaining" shall not include wages and wage-related matters.

(5) "Commission" means the public employment relations commission.

(6) "Executive director" means the executive director of the commission.

(7) "Uniformed personnel" means (a) law enforcement officers as defined in RCW 41.26.030 as now or hereafter amended, of cities with a population of fifteen thousand or more or law enforcement officers employed by the governing body of any county of the second class or larger, or (b) fire fighters as that term is defined in RCW 41.26.030, as now or hereafter amended.

On page 1, line 2 of the title, after "RCW 41.56.475" insert "and 41.56.030"

Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1915 Prime Sponsor, Representative R. King: Providing employment services in mental health programs. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1915 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Excused: Representatives Anderson and H. Myers.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1918 Prime Sponsor, Representative Sprenkle: Revising provisions for the practice of pharmacy. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1918 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

Excused: Representative Cantwell.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1919 Prime Sponsor, Representative Valle: Providing for a reduction in automobile insurance and the disbursement of information on the effects of alcohol and drugs on driving. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute House Bill No. 1919 be substituted therefor, and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Broback, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Anderson; Dorn; Inslee; R. Johnson; R. Meyers; Paris; Schmidt; Scott; and Winsley.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1927 Prime Sponsor, Representative Nelson: Changing provisions relating to assumption of metropolitan municipal corporation functions by a county. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute House Bill No. 1927 be substituted therefor, and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member;

Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1928 Prime Sponsor, Representative G. Fisher: Defining the authority of port districts to charge fees. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Franklin; Horn; Nealey; Wood; Wynne; and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Edmondson; Nelson; Rayburn; and Roland.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1931 Prime Sponsor, Representative Brough: Raising the limit on nonprofit raffles. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1931 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

Referred to Committee on Revenue.

March 6, 1991

HB 1932 Prime Sponsor, Representative Locke: Raising school levy limits. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 1932 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Cole; Dorn; Holland; P. Johnson; Jones; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

MINORITY recommendation: Do not pass. Signed by Representatives Betrozoff; Broback; Brumsickle; and Neher.

Excused: Representative Rasmussen.

Referred to Committee on Appropriations.

March 5, 1991

HB 1934 Prime Sponsor, Representative Van Luven: Clarifying laws relating to pedestrians in intersections. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 1934 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representative Prince.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1936 Prime Sponsor, Representative Dorn: Allowing high school graduation requirements to satisfy coursework requirements for undergraduate admissions. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute House Bill No. 1936 be substituted therefor, and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Basich; Dellwo; Fraser; Ludwig; Miller; Prince; Sheldon; and Spanel.

Excused: Representative Van Luven.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1940 Prime Sponsor, Representative Scott: Establishing foster care citizen review boards. Reported by Committee on Human Services

MAJORITY recommendation: That Substitute House Bill No. 1940 be substituted therefor, and the substitute bill do pass. Signed by Representatives Leonard, Chair; Riley, Vice Chair; Winsley, Ranking Minority Member; Tate, Assistant Ranking Minority Member; Beck; Brekke; Hargrove; Hochstatter; R. King; and H. Myers.

Excused: Representatives Anderson and H. Myers.

Referred to Committee on Appropriations.

March 6, 1991

HB 1945 Prime Sponsor, Representative Ogden: Providing opportunities for instruction in braille. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betrozoff; Broback; Brumsickle; Cole; Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Referred to Committee on Appropriations.

March 4, 1991

HB 1946 Prime Sponsor, Representative Ogden: Designating the Erwin O. Rieger Memorial Highway. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Basich; Cantwell; Cooper; Day; G. Fisher; Haugen; Heavey; R. Johnson; Jones; Kremen; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; and Wood.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Assistant Ranking Minority Member; Brough; Forner; Horn; P. Johnson; Mitchell; and Zellinsky.

Voting nay: Representatives Chandler, Assistant Ranking Minority Member; Brough; Forner; Horn; P. Johnson; Mitchell; Schmidt; and Zellinsky.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1947 Prime Sponsor, Representative G. Fisher: Changing provisions relating to recyclable materials. Reported by Committee on Environmental Affairs

MAJORITY recommendation: That Substitute House Bill No. 1947 be substituted therefor, and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; Neher; Phillips; Pruitt; D. Sommers; and Sprenkle.

Excused: Representative Van Luven.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1952 Prime Sponsor, Representative Rasmussen: Providing industrial insurance coverage for jockeys. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1952 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Fuhrman, Ranking Minority Member; Lisk, Assistant Ranking Minority Member; Franklin; Jones; O'Brien; Prentice; Vance; and Wilson.

MINORITY recommendation: Do not pass. Signed by Representative R. King.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1959 Prime Sponsor, Representative Hargrove: Revising provisions for collective bargaining for local government correctional and radio dispatch employees. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute House Bill No. 1959 be substituted therefor, and the substitute bill do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; and Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman, Ranking Minority Member; and Vance.

Voting nay: Representatives Fuhrman, Ranking Minority Member; Vance; and Wilson.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1965 Prime Sponsor, Representative Prentice: Establishing the high priority infant tracking program. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 1965 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprengle.

Referred to Committee on Appropriations.

March 5, 1991

HB 1971 Prime Sponsor, Representative Dellwo: Regulating alien insurers.  
Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute House Bill No. 1971 be substituted therefor, and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Broback, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Anderson; Dorn; Inslee; R. Johnson; R. Meyers; Paris; Schmidt; Scott; and Winsley.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1972 Prime Sponsor, Representative Zellinsky: Allowing surrender charges and forfeiture charges when issuing an insurance policy.  
Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute House Bill No. 1972 be substituted therefor, and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Broback, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Anderson; Dorn; Inslee; R. Johnson; R. Meyers; Paris; Schmidt; Scott; and Winsley.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1998 Prime Sponsor, Representative Inslee: Establishing an industrial growth management demonstration pilot project. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: That Substitute House Bill No. 1998 be substituted therefor, and the substitute bill do pass. Signed by Representatives Cantwell, Chair; Sheldon, Vice Chair; Forner, Ranking Minority Member; Betzoff, Assistant Ranking Minority Member; Ferguson; Kremen; Ludwig; Moyer; Rasmussen; Riley; and Roland.

Referred to Committee on Capital Facilities & Financing.

March 6, 1991

HB 2001 Prime Sponsor, Representative Holland: Changing educational programs and funding for juveniles in detention facilities. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 2001 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betzoff; Broback; Brumsickle; Cole;

Dorn; Holland; P. Johnson; Jones; Neher; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

Referred to Committee on Appropriations.

March 6, 1991

HB 2011 Prime Sponsor, Representative Wineberry: Prohibiting outdoor advertising of tobacco and alcohol products. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 2011 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

Excused: Representatives Day, Vice Chair.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 2018 Prime Sponsor, Representative Mitchell: Concerning unclaimed property held by port districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Horn; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 2026 Prime Sponsor, Representative Fraser: Providing for comprehensive water resources management. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute House Bill No. 2026 be substituted therefor, and the substitute bill do pass. Signed by Representatives Belcher, Chair; Scott, Vice Chair; Brumsickle, Assistant Ranking Minority Member; Dellwo; Fraser; Hargrove; Riley; Sheldon; and Wynne.

MINORITY recommendation: Without recommendation. Signed by Representatives Beck, Ranking Minority Member; and Morton.

Referred to Committee on Revenue.

March 6, 1991

HB 2031 Prime Sponsor, Representative Grant: Providing rate regulation for low-level waste sites. Reported by Committee on Energy & Utilities

MAJORITY recommendation: That Substitute House Bill No. 2031 be substituted therefor, and the substitute bill do pass. Signed by Representatives Grant, Chair; H. Myers, Vice Chair; May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Bray; Casada; Cooper; R. Fisher; Jacobsen; Miller; and Rayburn.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 2037 Prime Sponsor, Representative Morris: Modifying requirements for radiologic technologists. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

Referred to Committee on Revenue.

March 4, 1991

HB 2047 Prime Sponsor, Representative Basich: Creating the Washington coastal resources program. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute House Bill No. 2047 be substituted therefor, and the substitute bill do pass. Signed by Representatives Belcher, Chair; Scott, Vice Chair; Beck, Ranking Minority Member; Brumsickle, Assistant Ranking Minority Member; Dellwo; Fraser; Hargrove; Morton; Sheldon; and Wynne.

Excused: Representative Riley.

Referred to Committee on Appropriations.

March 6, 1991

HB 2056 Prime Sponsor, Representative Braddock: Making major changes to the regulation and provision of vital statistics. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 2056 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada,

Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprenkle.

Excused: Representative Cantwell.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 2057 Prime Sponsor, Representative Day: Allowing public facilities districts to impose excise tax. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Cantwell, Chair; Sheldon, Vice Chair; Forner, Ranking Minority Member; Betrozoff, Assistant Ranking Minority Member; Ferguson; Kremen; Ludwig; Moyer; Rasmussen; Riley; and Roland.

Referred to Committee on Revenue.

March 6, 1991

HB 2058 Prime Sponsor, Representative Scott: Clarifying the application of the statute of limitations to actions based on childhood sexual abuse. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 2058 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Padden, Ranking Minority Member; and Locke.

Voting nay: Representative Padden, Ranking Minority Member.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 2065 Prime Sponsor, Representative Anderson: Affecting administration of the state investment board. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments: On page 1, beginning on line 4, strike all material through "act." on page 1, line 14

On page 1, line 2 of the title, strike "RCW 43.33a.030 and"

Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; Bowman, Assistant Ranking Minority Member; R. Fisher; Grant; O'Brien; and Sheldon.

MINORITY recommendation: Do not pass. Signed by Representatives McLean, Ranking Minority Member; Chandler; and Moyer.

Referred to Committee on Appropriations.

March 6, 1991

HB 2071 Prime Sponsor, Representative Moyer: Giving the governor the authority to appoint the medical disciplinary board. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 2071 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Casada, Assistant Ranking Minority Member; Cantwell; Edmondson; Franklin; Morris; Paris; Prentice; and Sprengle.

Excused: Representative Cantwell.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 2084 Prime Sponsor, Representative Prentice: Providing for clinical privileges and staff membership for nonphysician health practitioners. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 2084 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Casada, Assistant Ranking Minority Member; Cantwell; Morris; Prentice; and Sprengle.

MINORITY recommendation: Do not pass. Signed by Representatives Moyer, Ranking Minority Member; Edmondson; Franklin; and Paris.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 2086 Prime Sponsor, Representative Appelwick: Creating a central filing system for security interests in farm crops. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 2086 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove;

Inlee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Referred to Committee on Appropriations.

March 6, 1991

HB 2089 Prime Sponsor, Representative Anderson: Fixing the date of the presidential primary. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 2089 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; Bowman, Assistant Ranking Minority Member; R. Fisher; Grant; O'Brien; and Sheldon.

MINORITY recommendation: Do not pass. Signed by Representatives McLean, Ranking Minority Member; Chandler; and Moyer.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 2090 Prime Sponsor, Representative Anderson: Defining the "short term" for elective offices: Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 2095 Prime Sponsor, Representative Johnson: Establishing a counseling network for veterans and their families. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 2095 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Referred to Committee on Appropriations.

March 6, 1991

HB 2100 Prime Sponsor, Representative Braddock: Exempting nursing homes for underserved ethnic minorities from certificate of need requirements. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute House Bill No. 2100 be substituted therefor, and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Moyer, Ranking Minority Member; Cantwell; Franklin; Morris; Paris; Prentice; and Sprenkle.

MINORITY recommendation: Without recommendation. Signed by Representatives Casada, Assistant Ranking Minority Member; and Edmondson.

Voting nay: Representative Edmondson.

Excused: Representative Casada, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 2106 Prime Sponsor, Representative Anderson: Authorizing the division of purchasing to donate state-owned surplus tangible personal property to certain shelters. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Excused: Representative O'Brien.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 2113 Prime Sponsor, Representative Locke: Changing election procedures for school board directors in first class school districts having within their boundaries a city with a population of four hundred thousand people to nine directors, five by director district and four at-large. Reported by Committee on Education

MAJORITY recommendation: That Substitute House Bill No. 2113 be substituted therefor, and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Cole; Dorn; Jones; Orr; Phillips; Rasmussen; Roland; H. Sommers; and Valle.

MINORITY recommendation: Do not pass. Signed by Representatives Brough, Ranking Minority Member; Vance, Assistant Ranking Minority Member; Betrozoff; Broback; Brumsickle; Holland; P. Johnson; and Neher.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 2114 Prime Sponsor, Representative Prince: Authorizing loans and grants to preserve underground petroleum storage tanks in rural areas. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute House Bill No. 2114 be substituted therefor, and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Broback, Ranking Minority Member; Mielke, Assistant Ranking Minority Member; Anderson; Dorn; Inslee; R. Johnson; R. Meyers; Paris; Schmidt; Scott; and Winsley.

Referred to Committee on Appropriations.

March 6, 1991

HB 2118 Prime Sponsor, Representative Jacobsen: Restricting the use of public facilities. Reported by Committee on State Government

MAJORITY recommendation: That Substitute House Bill No. 2118 be substituted therefor, and the substitute bill do pass. Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 2123 Prime Sponsor, Representative O'Brien: Permitting nonprofit organizations to offer bottles of liquor as raffle prizes. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Heavey, Chair; Cole, Vice Chair; Lisk, Assistant Ranking Minority Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance; and Wilson.

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

Passed to Committee on Rules for second reading.

March 6, 1991

HB 2141 Prime Sponsor, Representative Prince: Establishing a state oral history program. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment: On page 3, line 14 after "shall" insert "administer the division and"

Signed by Representatives Anderson, Chair; Pruitt, Vice Chair; McLean, Ranking Minority Member; Bowman, Assistant Ranking Minority Member; Chandler; R. Fisher; Grant; Moyer; O'Brien; and Sheldon.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 2152 Prime Sponsor, Representative Leonard: Appointing a direct landlord pay task force. Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Bill No. 2152 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Ballard; Leonard; Ogden; and Wineberry.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 2153 Prime Sponsor, Representative Appelwick: Changing provisions relating to enforcement of child support. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 2153 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representative Locke.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 2154 Prime Sponsor, Representative Appelwick: Changing provisions relating to domestic relations. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 2154 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 2155 Prime Sponsor, Representative Scott: Expanding family courts and family court services. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute House Bill No. 2155 be substituted therefor, and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 2161 Prime Sponsor, Representative Franklin: Concerning housing for families with members who have disabilities. Reported by Committee on Housing

MAJORITY recommendation: That Substitute House Bill No. 2161 be substituted therefor, and the substitute bill do pass. Signed by Representatives Nelson, Chair; Franklin, Vice Chair; Mitchell, Ranking Minority Member; Winsley, Assistant Ranking Minority Member; Ballard; Leonard; Ogden; and Wineberry.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 2168 Prime Sponsor, Representative R. Meyers: Directing a temporary study of truck weight. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment: On page 1, line 10, after "a" strike "six month"

Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Schmidt; Wilson; Wood; and Zellinsky.

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

Excused: Representative Prince.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 2170 Prime Sponsor, Representative Appelwick: Creating a task force on sentencing of adult offenders. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member;

Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Excused: Representative Hargrove.

Passed to Committee on Rules for second reading.

March 6, 1991

HJM 4010 Prime Sponsor, Representative Fisher: Asking Congress to develop a national energy policy. Reported by Committee on Energy & Utilities

MAJORITY recommendation: That Substitute House Joint Memorial No. 4010 be substituted therefor, and the substitute memorial do pass. Signed by Representatives Grant, Chair; H. Myers, Vice Chair; May, Ranking Minority Member; Hochstatter, Assistant Ranking Minority Member; Bray; Casada; Cooper; R. Fisher; Jacobsen; Miller; and Rayburn.

Excused: Representative Jacobsen.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Dorn, the bills and memorial listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

#### MOTION

On motion of Mr. Dorn, the House adjourned until 10:00 a.m., Thursday, March 7, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**FIFTY-THIRD DAY**

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**MORNING SESSION**

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House Chamber, Olympia, Thursday, March 7, 1991

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Appelwick, Basich, Brekke, G. Fisher, Heavey, Locke, Morris, Nealey and Wineberry. On motion of Ms. Casada, Representatives Nealey was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Bryon Hulett and Kristan LaJoie. Prayer was offered by The Reverend Cecil Thompson, Minister of the Summit Lake Community Church.

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

**MESSAGE FROM THE SENATE**

March 6, 1991

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 5043,  
 SUBSTITUTE SENATE BILL NO. 5052,  
 SUBSTITUTE SENATE BILL NO. 5098,  
 SENATE BILL NO. 5148,  
 SENATE BILL NO. 5209,  
 SENATE BILL NO. 5213,  
 SENATE BILL NO. 5220,  
 SENATE BILL NO. 5231,  
 SENATE BILL NO. 5475,  
 SENATE BILL NO. 5477,  
 SENATE JOINT MEMORIAL NO. 8020,

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

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

## INTRODUCTIONS AND FIRST READING

HB 2178 by Representative O'Brien

AN ACT Relating to valuation for property tax purposes; amending RCW 84.36.381 and 84.36.383; adding new sections to chapter 84.36 RCW; creating a new section; providing an effective date; providing a contingent effective date; and declaring an emergency.

Referred to Committee on Revenue.

HJM 4020 by Representatives Jones, Bowman, Brumsickle, Basich, Hargrove, Heavey, Fuhrman, Braddock, Morton, H. Sommers, Lisk, Nealey, Schmidt, Wang, Jacobsen, Peery, Franklin, May, Ogden, Leonard, Prentice, Kremen, Anderson, Scott, Van Luven, Valle, Wineberry, D. Sommers, Haugen, Dorn, Rasmussen, R. Fisher, Cooper, Spanel, G. Fisher, Pruitt, Ferguson, R. Johnson, Brough, Phillips, Chandler, Wynne, Sheldon, P. Johnson and Tate

Concerning the retraining of timber workers.

SB 5043 by Senators Nelson, Bailey, Vognild and Amondson; by request of Secretary of State

Authorizing facsimile filing of election documents.

Referred to Committee on State Government.

SSB 5052 by Senate Committee on Law & Justice (originally sponsored by Senators Moore, Nelson and Thorsness)

Concerning collection of public debts.

Referred to Committee on Judiciary.

SSB 5098 by Senate Committee on Agriculture & Water Resources (originally sponsored by Senators Barr, Hansen, Newhouse, Gaspard, Bailey, Conner, Amondson, Bauer and L. Smith)

Extending the coverage of processor liens.

Referred to Committee on Agriculture & Rural Development.

SB 5148 by Senators Nelson, A. Smith and Newhouse

Making multiple revisions concerning limited partnerships.

Referred to Committee on Judiciary.

SB 5209 by Senators Vognild, Sellar, Rasmussen, Matson, Snyder and Patterson

Revising provisions relating to the legislative transportation committee.

Referred to Committee on Transportation.

SB 5213 by Senators West and L. Kreidler; by request of Dept. of Social & Health Services

Changing the billing period to twelve months.

Referred to Committees on Health Care and Appropriations.

SB 5220 by Senators Patterson and Vognild; by request of Utilities & Transportation Commission

Modifying railroad crossing inspection fees.

Referred to Committee on Transportation.

SB 5231 by Senator McCaslin

Providing that examinations not be required for real estate licensees' continuing education.

Referred to Committee on Commerce & Labor.

SB 5475 by Senators Bauer, Saling, Rinehart, Bailey and Murray

Authorizing honorary degrees.

Referred to Committee on Higher Education.

SB 5477 by Senators Conner, Rasmussen, Bauer and Nelson

Authorizing veterans' benefits for Women's Air Forces Service Pilots and merchant marines.

Referred to Committees on State Government/Appropriations.

SJM 8020 by Senators Owen, Snyder, Conner, McDonald, Johnson, Amondson, Sutherland, Madsen, Rasmussen, McCaslin, Anderson, Vognild, L. Smith, Bailey, von Reichbauer and McMullen

Concerning displaced timber workers.

Referred to Committee on Commerce & Labor.

## MOTION

On motion of Mr. Dorn, the bills and memorials listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

Representative Nealey appeared at the bar of the House.

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

## SECOND READING

## MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1147 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1147, by Representatives Pruitt, Wood, Ogden, Bowman, Anderson, Ferguson, Sprenkle, Jacobsen, Rasmussen and Moyer

Changing provisions relating to citizen service.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 38th Day, February 20, 1991.)

Mr. Pruitt moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Pruitt and Wood spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1147, and the bill passed the House by the following vote: Yeas - 90, Nays - 0, Absent - 8, Excused - 0.

Voting yeas: Representatives Anderson, Ballard, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt,

Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 90.

Absent: Representatives Appelwick, Basich, Brekke, Fisher, G., Heavey, Locke, Morris, Wineberry - 08.

Engrossed House Bill No. 1147, having received the constitutional majority, was declared passed.

Representatives Appelwick, Basich, Brekke, G. Fisher, Heavey, Morris and Wineberry appeared at the bar of the House.

### MOTION

Mr. Dorn moved that the House defer consideration of House Bill No. 1259 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1268, by Representatives Spanel, Silver, Hine, Forner, Paris, May, P. Johnson, Winsley, Zellinsky, Hochstatter, Nealey, Wynne, Edmondson, Bowman, D. Sommers, Brumsickle, Betrozoff, Wood, Miller, Ballard, Tate, McLean, Jacobsen, Nelson, Jones, Wineberry, Pruitt, Dellwo, R. Johnson, Ogden, Bray, Roland and Basich; by request of Joint Committee on Pension Policy

Changing provisions relating to retirement service credit.

The bill was read the second time. On motion of Ms. Spanel, Substitute House Bill No. 1268 was substituted for House Bill No. 1268, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1268 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Spanel, Schmidt and Zellinsky spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1268, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R.,

Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Locke - 01.

Substitute House Bill No. 1268, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1269, by Representatives Silver, Spanel, Paris, May, P. Johnson, Fuhrman, Winsley, Hochstatter, Nealey, Wynne, Edmondson, Bowman, D. Sommers, Brumsickle, Betzoff, Wood, Neher, Horn, Mielke, Miller, Ballard, Tate and McLean; by request of Joint Committee on Pension Policy

Changing provisions relating to public retirement.

The bill was read the second time. On motion of Ms. Spanel, Substitute House Bill No. 1269 was substituted for House Bill No. 1269, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1269 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Spanel and McLean spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1269, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Locke - 01.

Substitute House Bill No. 1269, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1294, by Representatives R. Meyers, Schmidt, Dellwo, Dorn, Inslee, Padden, Anderson, Paris and Wang

Mandating personal injury protection insurance.

The bill was read the second time. On motion of Mr. Dellwo, Substitute House Bill No. 1294 was substituted for House Bill No. 1294, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1294 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives R. Meyers and Paris spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1294, and the bill passed the House by the following vote: Yeas - 84, Nays - 13, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Myers, H., Neher, Nelson, O'Brien, Ogden, Orr, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Loven, Wang, Wilson, Wineberry, Winsley, Wynne, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Ballard, Beck, Betzoff, Bowman, Casada, Edmondson, Fuhrman, Hochstatter, May, Moyer, Nealey, Paris, Wood - 13.

Absent: Representative Locke - 01.

Substitute House Bill No. 1294, having received the constitutional majority, was declared passed.

Representative Locke appeared at the bar of the House.

HOUSE BILL NO. 1329, by Representatives H. Sommers, Holland, Locke, Silver, Brekke, Peery, Ebersole, Fuhrman, Cole, Phillips and R. King; by request of Legislative Budget Committee

Authorizing special educational services demonstration projects.

The bill was read the second time. On motion of Ms. H. Sommers, Substitute House Bill No. 1329 was substituted for House Bill No. 1329, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1329 was read the second time.

Ms. H. Sommers moved adoption of the following amendments by Representatives H. Sommers, Brough, Peery and Holland:

On page 4, line 29, after "projects." insert a subsection to read as follows:

"(c) The funding percentages for demonstration projects specified in (a) and (b) of this subsection shall be used to adjust basic education allocations under RCW 28A.150.260 and learning assistance program allocations under RCW 28A.165.070."

Re-number the remaining subsection consecutively.

On page 5, line 1, strike "(c)" and insert "(d)"

Ms. H. Sommers spoke in favor of adoption of the amendments, and they were adopted.

Ms. H. Sommers moved adoption of the following amendments by Representatives H. Sommers, Brough, Peery and Holland:

On page 5, line 8, after "designated" insert "in whole or in part"

On page 5, line 11, after "designated" insert "in whole or in part"

On page 5, line 19, after "designated" insert "in whole or in part"

On page 5, line 29, after "designated" insert "in whole or in part"

Ms. H. Sommers spoke in favor of adoption of the amendments, and they were adopted.

Ms. H. Sommers moved adoption of the following amendment by Representatives H. Sommers, Brough, Peery and Holland:

On page 5, line 21, after "shall be" strike all material through "award" on line 24 and insert "calculated for project districts according to the funding formula in use for other districts"

Ms. H. Sommers spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives H. Sommers, Ebersole, Betrozoff and Brough spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1329, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen,

Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 1329, having received the constitutional majority, was declared passed.

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

### RESOLUTIONS

HOUSE RESOLUTION NO. 91-4638, by Representatives Sheldon, P. Johnson, Zellinsky, Schmidt and R. Meyers

WHEREAS, Our nation and state owe a continuing debt of gratitude to those who have served their country in past wars and conflicts; and

WHEREAS, These men and women have brought honor through their service to our country and the State of Washington and have endowed us with a sense of pride; and

WHEREAS, It is appropriate that we demonstrate this sense of pride by erecting a memorial to honor this state's veterans, both living and dead, of all past and present conflicts; and

WHEREAS, The citizens of the State of Washington will benefit from the increased awareness of our veterans' many selfless contributions, that will be created through the raising of such a visible symbol; and

WHEREAS, The Washington Statewide Veterans' Memorial Foundation has set out to construct the Washington Statewide Veterans' Memorial in Bremerton, Washington which will contain a museum, and which will operate a coordinating center for veterans' affairs, military information and history, community education, and outreach to interested individuals and organizations; and

WHEREAS, The Washington Statewide Veterans' Memorial Foundation also hopes to educate individuals and local communities state-wide about the participation of our state's veterans in our nation's wars and conflicts;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington encourage and commend the efforts of the Washington Statewide Veterans' Memorial Foundation to build and establish the Washington Statewide Veterans' Memorial in Bremerton, Washington that will serve and honor those who have served and honored us throughout our history; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit copies of this resolution to the Washington Statewide Veterans' Memorial Foundation, in Bremerton, Washington.

Mr. Sheldon moved adoption of the resolution. Representatives Sheldon, Zellinsky, Heavey, P. Johnson, Kremen and Schmidt spoke in favor of the resolution.

House Resolution No. 91-4638 was adopted.

HOUSE RESOLUTION NO. 91-4640, by Representatives R. Meyers, Ferguson, Van Luven, Pruitt, Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, G. Fisher, R. Fisher, Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, P. Johnson, R. Johnson, Jones, J. King, R. King, Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Mielke, Miller, Mitchell, Morris, Morton, Moyer, H. Myers, Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, D. Sommers, H. Sommers, Spanel, Sprengle, Tate, Valle, Vance, Wang, Wilson, Wineberry, Winsley, Wood, Wynne and Zellinsky

WHEREAS, Five hundred thirty-nine thousand American men and women bravely took part in the successful effort by Allied forces to halt Iraq's unprovoked aggression against Kuwait; and

WHEREAS, United States Army Sergeant Lee Belas of Port Orchard and Army Warrant Officer John K. Morgan of Bellevue were among the eight thousand five hundred men and women from Washington state who served in the Persian Gulf; and

WHEREAS, Twenty-two year-old Sergeant Belas served as a linguist and communications jammer in a military intelligence unit from Fort Riley, Kansas; and

WHEREAS, Twenty-eight year-old Warrant Officer Morgan was a helicopter pilot attached to that unit from Fort Riley; and

WHEREAS, Sergeant Belas and Warrant Officer Morgan were killed along with seven other soldiers when their Army helicopter was shot down February 27, 1991, the last day of the war; and

WHEREAS, Sergeant Belas and Warrant Officer Morgan will be remembered as two of the American service men and women who gave their lives to uphold international law and the right of self-determination for all sovereign nations on Earth; and

WHEREAS, Lee Belas was a gifted linguist and a 1986 graduate of South Kitsap High School; and

WHEREAS, John Morgan was an avid pilot and a 1981 graduate of Interlake High School; and

WHEREAS, Lee Belas leaves behind his parents, Peter and Carol Belas, and his sister Amy Belas, of Port Orchard; and

WHEREAS, John Morgan leaves behind his mother, Shirley Lansing and his stepfather Glenn Lansing of Bellevue, his father Don Morgan of Portola,

California, his sister Catherine Morgan of Bellevue, and his stepsister Elizabeth Lansing Thomas and her husband Steven Thomas of Seattle;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives expresses its deepest sympathy to the family and friends of Sergeant Lee Belas and Warrant Officer John Morgan and acknowledges their bravery, dedication, and sacrifice in the Persian Gulf War; and

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Peter and Carol Belas of Port Orchard, to Shirley and Glenn Lansing of Bellevue, and to the commanding officer at Fort Riley, Kansas.

Mr. R. Meyers moved adoption of the resolution. Representatives R. Meyers, Ferguson and Van Luven spoke in favor of the resolution.

On motion of Mr. Ferguson, the rules were suspended and the names of all members of the House of Representatives were added as sponsors of the resolution.

House Resolution No. 91-4640 was adopted.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

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

#### MOTION

On motion of Mr. Dorn, the House adjourned until 10:00 a.m., Friday, March 8, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**FIFTY-FOURTH DAY**

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**MORNING SESSION**

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House Chamber, Olympia, Friday, March 8, 1991

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Ogden, Padden, Phillips, Schmidt, H. Sommers and Wang. On motion of Ms. Cole, Representative Ogden was excused. On motion of Ms. Casada, Representatives Padden and Schmidt were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Aaron White and Kristin Relyea. Prayer was offered by The Reverend Cecil Thompson, Minister of the Summit Lake Community Church.

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

**MESSAGE FROM THE SENATE**

March 7, 1991

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 1115,  
 SUBSTITUTE SENATE BILL NO. 5090,  
 SUBSTITUTE SENATE BILL NO. 5106,  
 SUBSTITUTE SENATE BILL NO. 5108,  
 SUBSTITUTE SENATE BILL NO. 5116,  
                   SENATE BILL NO. 5151,  
                   SENATE BILL NO. 5277,  
 SUBSTITUTE SENATE BILL NO. 5299,  
                   SENATE BILL NO. 5302,  
 ENGROSSED SENATE BILL NO. 5311,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5318,  
                   SENATE BILL NO. 5367,  
                   SENATE BILL NO. 5441,  
 SUBSTITUTE SENATE BILL NO. 5466,  
 ENGROSSED SENATE BILL NO. 5476,  
                   SENATE BILL NO. 5651,  
 SUBSTITUTE SENATE BILL NO. 5666,  
                   SENATE BILL NO. 5718,

SENATE JOINT MEMORIAL NO. 8000,  
SENATE JOINT MEMORIAL NO. 8009,

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

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

## INTRODUCTIONS AND FIRST READING

HB 2179 by Representative Van Luvan

AN ACT Relating to juvenile court records; and amending RCW 13.50.050.

Referred to Committee on Judiciary.

HB 2180 by Representatives Braddock and Spanel

AN ACT Relating to the motel/hotel tax for cities with a population of forty-five thousand or more located in a first class county other than a county that has, prior to June 26, 1975, pledged tax revenues or issued bonds for purposes of public stadium, convention, performing arts and/or visual arts center facilities; adding a new section to chapter 67.28 RCW; and providing an expiration date.

Referred to Committee on Revenue.

HB 2181 by Representatives Jacobsen, Belcher, Sheldon, Hargrove, Riley, Jones, Basich, R. King and Rasmussen

AN ACT Relating to a Washington timberlands foundation; adding a new chapter to Title 43 RCW; creating a new section; and making an appropriation.

Referred to Committee on Higher Education.

SSB 5090 by Senate Committee on Children & Family Services (originally sponsored by Senators Roach and Stratton; by request of Dept. of Social & Health Services)

Concerning foster family home licenses.

Referred to Committee on Human Services.

SSB 5106 by Senate Committee on Transportation (originally sponsored by Senators Patterson, Vognild and Conner; by request of Office of Financial Management and Governor Gardner)

Adopting the supplemental transportation budget.

Referred to Committee on Transportation.

SSB 5108 by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators von Reichbauer, McCaslin, Moore, Vognild, Matson, Rasmussen, Pelz and Owen; by request of Attorney General)

Regulating promotional advertising of prizes.

Referred to Committee on Commerce & Labor.

SSB 5116 by Senate Committee on Education (originally sponsored by Senators Murray, Bailey, Thorsness, Gaspard, A. Smith, Rinehart, Madsen, Talmadge, Bauer and Erwin; by request of Task Force on Student Transportation Safety)

Allowing school bus drivers to report violators.

Referred to Committee on Education.

SB 5151 by Senators Hayner, Niemi, Thorsness, Nelson and Roach; by request of Department of Corrections

Requiring that the death penalty be carried out by lethal injection.

Referred to Committee on Judiciary.

SB 5277 by Senators Cantu, Murray, Snyder, Hansen, Conner, Owen and Anderson

Preventing termination of the small business export finance assistance center.

Referred to Committee on Trade & Economic Development.

SSB 5299 by Senate Committee on Children & Family Services (originally sponsored by Senator L. Smith)

Revising provisions for adoption.

Referred to Committee on Judiciary.

SB 5302 by Senators Snyder, Metcalf, Rasmussen, Anderson, L. Smith, Amondson, Patterson and Oke

Designating salmon production as the primary mission of the department of fisheries.

Referred to Committee on Fisheries & Wildlife.

ESB 5311 by Senators McMullen, Nelson, Moore and Vognild

Exempting bare-boat charter boats from the provisions of the charter boat safety act.

Referred to Committee on Transportation.

ESSB 5318 by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators von Reichbauer, Pelz, Owen, Johnson, Vognild, Moore, Rasmussen, McCaslin, Matson, Sellar and West)

Prescribing penalties for money laundering.

Referred to Committee on Financial Institutions & Insurance.

SB 5367 by Senators Patterson, Sellar, Owen and Snyder

Concerning the transport of recovered materials.

Referred to Committee on Transportation.

SB 5441 by Senators Rasmussen, Nelson, Hayner and Johnson

Amending bookmaking provisions.

Referred to Committee on Judiciary.

SSB 5466 by Senate Committee on Law & Justice (originally sponsored by Senators Nelson, Moore, Amondson, Conner, Johnson, Newhouse, West, Rasmussen, Wojahn, Sutherland and L. Smith)

Limiting the strict liability of pharmacists.

Referred to Committee on Judiciary.

ESB 5476 by Senators Bailey, Barr, Hansen, Anderson, Conner, Newhouse, Gaspard and Bauer

Affecting the marketing of milk.

Referred to Committee on Agriculture & Rural Development.

SB 5651 by Senators Saling, Stratton, West and McCaslin

Adding the Little Spokane river to the scenic river system.

Referred to Committee on Natural Resources & Parks.

SSB 5666 by Senate Committee on Environment & Natural Resources (originally sponsored by Senators Rasmussen, Metcalf, Snyder, Hansen, Patterson, Bauer, von Reichbauer, Barr and Thorsness)

Protecting salmon and steelhead resources from nonendangered marine mammals.

Referred to Committee on Fisheries & Wildlife.

SB 5718 by Senators Owen, Oke, Rasmussen, Conner, Nelson, Thorsness, Bauer and von Reichbauer

Establishing purple heart recipient recognition day.

Referred to Committee on State Government.

SJM 8000 by Senator Conner

Requesting that Congress extend the coastal states seaward boundaries.

Referred to Committee on Natural Resources & Parks.

SJM 8009 by Senators Hayner and Jesernig

Requesting Congress to create a HAMMER training center at Hanford.

Referred to Committee on Energy & Utilities.

#### MOTION

On motion of Mr. Dorn, the bills and memorials listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

Representative Padden appeared at the bar of the House.

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

#### SECOND READING

#### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1348 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1348, by Representatives Prentice, Heavey, Winsley, Jones, Dellwo, R. King, Franklin, R. Fisher, Phillips, Ebersole, O'Brien, Cole, G. Fisher, Basich and Jacobsen

Providing for arbitration in public transportation labor negotiations.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 37th Day, February 19, 1991.)

Mr. Heavey moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Prentice spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1348, and the bill passed the House by the following vote: Yeas - 71, Nays - 22, Absent - 3, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Betrozoff, Braddock, Brekke, Broback, Brough, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Johnson R., Jones, King, R., Kremen, Leonard, Locke, May, Meyers, R., Miller, Mitchell, Morris, Myers, H., Nelson, O'Brien, Orr, Paris, Peery, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, D., Spanel, Sprenkle, Valle, Vance, Van Loven, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 71.

Voting nay: Representatives Ballard, Beck, Bowman, Bray, Brumsickle, Casada, Chandler, Fuhrman, Hochstatter, Johnson P., Lisk, Ludwig, McLean, Mielke, Morton, Moyer, Nealey, Neher, Padden, Prince, Silver, Tate - 22.

Absent: Representatives Phillips, Sommers, H., Wang - 03.

Excused: Representatives Ogden, Schmidt - 02.

Engrossed House Bill No. 1348, having received the constitutional majority, was declared passed.

Representatives Phillips, Schmidt, H. Sommers and Wang appeared at the bar of the House.

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

## INTRODUCTION AND FIRST READING

HOUSE JOINT MEMORIAL NO. 4020, by Representatives Jones, Bowman, Brumsickle, Basich, Hargrove, Heavey, Fuhrman, Braddock, Morton, H. Sommers, Lisk, Nealey, Schmidt, Wang, Jacobsen, Peery, Franklin, May, Ogden, Leonard, Prentice, Kremen, Anderson, Scott, Van Luven, Valle, Wineberry, D. Sommers, Haugen, Dorn, Rasmussen, R. Fisher, Cooper, Spanel, G. Fisher, Pruitt, Ferguson, R. Johnson, Brough, Phillips, Chandler, Wynne, Sheldon, P. Johnson and Tate

Concerning the retraining of timber workers.

Held on First Reading from 3/7/91.

## MOTIONS

On motion of Mr. Ebersole, the rules were suspended and the memorial was advanced to second reading and read the second time in full.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Jones, Bowman, Hargrove, Sheldon, Basich, Brumsickle, P. Johnson and Former spoke in favor of passage of the memorial.

## ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4020, and the memorial passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Ogden - 01.

House Joint Memorial No. 4020, having received the constitutional majority, was declared passed.

## MOTION

On motion of Ms. Cole, Mr. Speaker was excused.

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

## RESOLUTION

HOUSE RESOLUTION NO. 91-4628, by Representatives Brumsickle, P. Johnson, Basich, Sheldon, Riley and Bowman

WHEREAS, Team sports provide the participants with opportunities to develop and enhance their physical agility, mental alertness, independence, cooperation, personal goal setting, and the ability to work with others for a common good; and

WHEREAS, The Adna High School softball team members have displayed these characteristics in leading their school to victory as the 1990 Class "B" State Champions; and

WHEREAS, The Adna High School softball teams have demonstrated perseverance and dedication by compiling the following record: Four consecutive League Championships; two District Championships; two Class "B" State Championships in 1987 and 1990, and a third place in 1988; and two WIAA Academic State Championships in 1989 and 1990 in Class "B" softball; and

WHEREAS, Coach Dean A. Johnsen has guided the Adna High School softball teams to a record of 123 wins and 26 losses in their first six seasons; and

WHEREAS, These records and accomplishments could not have been achieved without the support, cooperation, and participation of every team member; and

WHEREAS, The students and faculty of Adna High School contributed to the success of the team by showing their support of the athletes and cheering the team on to victory;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor Adna High School's 1990 winning softball team, the students, coaches, and teachers; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Coach Dean A. Johnsen, Principal John R. Green, and to each of the Adna High School softball team.

Mr. Brumsickle moved adoption of the resolution and spoke in favor of it.

House Resolution No. 91-4628 was adopted.

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

## SECOND READING

## MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1038 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1038, by Representatives Kremen, McLean, Orr, Heavey, R. Meyers, Dorn, Holland, Mielke, Basich, Vance, Paris, Wineberry, Zellinsky, May, H. Myers, Peery, Phillips, Silver, R. Johnson, Sprenkle, Spanel, Sheldon, Wood, Miller, Ogden, Rayburn, Jones, Ludwig, O'Brien, Leonard, Haugen, Inslee, Franklin, Fraser, Braddock, R. King, Pruitt, Cantwell, G. Fisher, Jacobsen, Valle, Roland, Hine, Morris, Rasmussen and Brekke; by request of Governor Gardner

Extending the commission for efficiency and accountability an additional four years.

The bill was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Kremen and McLean spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1038, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky - 96.

Excused: Representatives Ogden, and Mr. Speaker - 02.

House Bill No. 1038, having received the constitutional majority, was declared passed.

## MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1033 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1033, by Representatives Jacobsen, Appelwick, Dellwo, Roland, Ferguson, Rust and Paris

Prohibiting the release of lighter than air balloons.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 30th Day, February 12, 1991.)

Ms. Rust moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

Mr. R. Meyers moved adoption of the following amendment:

On page 1, after line 4, strike everything through "animals." on page 1, line 8

Mr. R. Meyers spoke in favor of adoption of the amendment, and Mr. Jacobsen spoke against it.

A division was called. The Speaker (Mr. O'Brien presiding) called upon the House to divide. The result of the division was: Yeas - 44, Nays - 52. The amendment was not adopted.

Mr. R. Meyers moved adoption of the following amendment:

Beginning on page 2, line 10, strike the remainder of the bill

Representatives R. Meyers and Padden spoke in favor of adoption of the amendment, and Mr. Appelwick spoke against it.

The Speaker (Mr. O'Brien presiding), being in doubt, called upon the House to divide. The result of the division was: Yeas - 46, Nays - 50. The amendment was not adopted.

Mr. R. Meyers moved adoption of the following amendment:

On page 1, after line 7, after "environment" delete all material through "animals" on line 8

Mr. R. Meyers spoke in favor of adoption of the amendment, and Mr. Jacobsen spoke against it.

The amendment was not adopted.

The Clerk read the following amendment by Representative R. Meyers:  
On page 2, line 10, strike section 3."

Renumber the remaining section consecutively.

With consent of the House, Representative R. Meyers withdrew the amendment.

The Clerk read the following amendment by Representative R. Meyers:  
On page 2, line 15, strike section 4.

With consent of the House, Representative R. Meyers withdrew the amendment.

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Jacobsen and Inslee spoke in favor of passage of the bill, and Representatives R. Meyers, Van Luven, Jones and D. Sommers spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1033, and the bill passed the House by the following vote: Yeas - 56, Nays - 40, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Basich, Beck, Belcher, Braddock, Bray, Brekke, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Former, Franklin, Fraser, Grant, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., King, R., Kremen, Leonard, Locke, Ludwig, Miller, Mitchell, Morris, Myers, H., Nelson, O'Brien, Orr, Paris, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Valle, Wineberry, Winsley, Wood - 56.

Voting nay: Representatives Ballard, Betrozoff, Bowman, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Edmondson, Ferguson, Fuhrman, Hargrove, Hochstatter, Holland, Horn, Johnson P., Jones, Lisk, May, McLean, Meyers, R., Mielke, Morton, Moyer, Nealey, Neher, Padden, Peery, Prince, Schmidt, Silver, Sommers, D., Tate, Vance, Van Luven, Wang, Wilson, Wynne, Zellinsky - 40.

Excused: Representatives Ogden; and Mr. Speaker - 02.

Engrossed House Bill No. 1033, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1202 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1202, by Representatives Riley, Ludwig, Winsley, Former, Bray, Wood, Jones, R. Johnson, Jacobsen, Scott, Neher, Schmidt, Sheldon, Phillips, Orr, Basich, Leonard and Anderson; by request of Washington State Patrol

Prohibiting firearms in state capitol buildings.

The bill was read the second time. On motion of Mr. Appelwick, Substitute House Bill No. 1202 was substituted for House Bill No. 1202, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1202 was read the second time.

The Speaker (Mr. O'Brien presiding) referred Substitute House Bill No. 1202 to Committee on Rules for third reading.

HOUSE BILL NO. 1818, by Representatives Locke, Prince, H. Sommers, Ferguson, Betrozoff and Wineberry; by request of State Convention and Trade Center and Office of Financial Management

Changing project completion costs for the state convention and trade center.

The bill was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives H. Sommers and Locke spoke in favor of passage of the bill.

#### MOTION

Mr. Ebersole moved that the House defer further consideration of House Bill No. 1818 and that the bill hold its place on the third reading calendar. The motion was carried.

#### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1402 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1402, by Representatives Morris, Holland, Wang, Wynne, Van Luven, Ogden and Fraser; by request of Department of Revenue

Changing penalties and interest for tax evasion, refunds, and late payment.

The bill was read the second time. On motion of Ms. Fraser, Substitute House Bill No. 1402 was substituted for House Bill No. 1402, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1402 was read the second time.

Mr. Holland moved adoption of the following amendments by Representatives Holland, Morris, Wang and Wynne:

On page 5, line 11, after "regulations." insert "The department shall not issue the penalty under this section upon any taxpayer who has made a good faith effort to comply with the specific written instructions provided by the department."

On page 5, line 28, after "disregarding" insert "specific"

Mr. Holland spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Morris and Holland spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1402, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky - 96.

Excused: Representatives Ogden, and Mr. Speaker - 02.

Engrossed Substitute House Bill No. 1402, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1416, by Representatives R. King, Fuhrman, Hochstatter, Padden, Basich, Morris, Dorn, R. Meyers and Winsley

Establishing a plan for mitigation requirements if game fish habitat is impaired.

The bill was read the second time. On motion of Mr. R. King, Substitute House Bill No. 1416 was substituted for House Bill No. 1416, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1416 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives R. King and Wilson spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1416, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky - 96.

Excused: Representatives Ogden, and Mr. Speaker - 02.

Substitute House Bill No. 1416, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1428, by Representatives Neher, H. Sommers and Schmidt; by request of Office of Financial Management

Altering budget request requirements.

The bill was read the second time. Committee on Capital Facilities & Financing recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 38th Day, February 20, 1991.)

Ms. H. Sommers moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

Mr. Neher moved adoption of the following amendment by Representatives Neher and H. Sommers:

On page 5, following line 10, insert:

"Sec. 3. RCW 43.88.150 and 1981 c 270 are each amended to read as follows:

(1) For those agencies (~~which~~) that make expenditures from both appropriated and nonappropriated funds for the same purpose, the governor shall direct such agencies to charge their expenditures in such ratios, as between appropriated and nonappropriated funds, as will conserve appropriated funds.

(2) Unless otherwise restricted by law, any state agency that distributes, by contract, grant or other means, appropriated moneys to a local government or other non-state entity for the purpose of a capital project shall require, as a condition of payment, that the local government or other non-state entity spend the appropriated moneys in a

ratio to other funds available for the same purpose so as to conserve the appropriated moneys. (3) The office of financial management shall adopt guidelines for the implementation of this section. The guidelines may account for federal matching requirements or other requirements to spend other moneys in a particular manner."

Representatives Neher and H. Sommers spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Neher spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1428, and the bill passed the House by the following vote: Yeas - 89, Nays - 4, Absent - 3, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hochstatter, Holland, Horn, Inslee, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Winsley, Wynne, Zellinsky - 89.

Voting nay: Representatives Hine, Jacobsen, Meyers, R., Wineberry - 04.

Absent: Representatives Bray, Orr, Wood - 03.

Excused: Representatives Ogden, and Mr. Speaker - 02.

Engrossed House Bill No. 1428, having received the constitutional majority, was declared passed.

### STATEMENT FOR THE JOURNAL

I would have voted "yes" on final passage of Engrossed House Bill No. 1428.

JEANNETTE WOOD, 21st District.

HOUSE BILL NO. 1446, by Representatives Fuhrman, Cole and Heavey; by request of Department of Licensing

Pertaining to professional licensing.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Cole spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1446, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky - 96.

Excused: Representatives Ogden, and Mr. Speaker - 02.

House Bill No. 1446, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1452, by Representatives R. Fisher, G. Fisher, Cole, Fraser, Phillips, Rust, Haugen, Belcher, Hine, R. Meyers, Locke, Riley, Heavey, R. Johnson, Wilson, Betzoff, Valle, Wynne, R. King, Scott, Cooper, Pruitt, Ogden, Roland, Nelson, Spanel, Brekke and Wineberry

Creating the high-speed ground transportation steering committee.

The bill was read the second time. On motion of Ms. R. Fisher, Substitute House Bill No. 1452 was substituted for House Bill No. 1452, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1452 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives R. Fisher and Chandler spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1452, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky - 96.

Excused: Representatives Ogden, and Mr. Speaker - 02.

Substitute House Bill No. 1452, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1480, by Representatives R. Meyers, Mielke, Heavey, Broback, Zellinsky and Paris

Allowing reciprocal insurer to affect title to real property.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1480, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky - 96.

Excused: Representatives Ogden, and Mr. Speaker - 02.

House bill No. 1480, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1675, by Representatives Inslee, Riley, R. Meyers, Roland, Winsley, Ludwig, Orr, H. Myers and Wineberry

Establishing civil docket priority for parties over seventy years of age or terminally ill.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Inslee and Paris spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1675, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky - 96.

Excused: Representatives Ogden, and Mr. Speaker - 02.

House Bill No. 1675, having received the constitutional majority, was declared passed.

### MOTION

Mr. Dorn moved that the House defer consideration of House Bill No. 1740 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1003, by Representatives O'Brien, Dellwo, Wineberry and Brough

Requiring practitioners to provide information on prescription drugs.

The bill was read the second time. On motion of Mr. Dorn, Substitute House Bill No. 1003 was substituted for House Bill No. 1003, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1003 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Dellwo and Moyer spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1003, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky - 96.

Excused: Representatives Ogden, and Mr. Speaker - 02.

Substitute House Bill No. 1003, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1040, by Representatives Rayburn, Lisk, Haugen and Bray

Authorizing municipal utilities to reimburse the city or town for management services.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rayburn and Ferguson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1040, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2:

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky - 96.

Excused: Representatives Ogden, and Mr. Speaker - 02.

House Bill No. 1040, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1051, by Representatives Fraser, Forner, Prince, Jacobsen, Van Luven, Peery, Brough, Miller, Cantwell, Basich, Valle, Ogden, Dellwo, Wood, Ludwig, Sheldon, Morris, Tate, Ferguson, Silver, May, Ballard, Bowman, Haugen, Brumsickle, Jones, Broback, R. King, Mitchell, McLean and Winsley

Requiring international student exchange visitor placement organizations to be registered.

The bill was read the second time. On motion of Mr. Jacobsen, Substitute House Bill No. 1051 was substituted for House Bill No. 1051, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1051 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Fraser, Forner and May spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1051, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell,

Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky - 96.

Excused: Representatives Ogden, and Mr. Speaker - 02.

Substitute House Bill No. 1051, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Ebersole moved that the House defer consideration of the remaining bills on the second reading calendar. The motion was carried.

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

#### MOTIONS

On motion of Mr. Ebersole, House Bill No. 1280 was referred from Committee on Appropriations to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 1281 was referred from Committee on Appropriations to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 1282 was referred from Committee on Appropriations to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 1338 was referred from Committee on Appropriations to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 1340 was referred from Committee on Appropriations to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 1463 was referred from Committee on Appropriations to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 1523 was referred from Committee on Appropriations to Committee on Revenue.

On motion of Mr. Ebersole, House Bill No. 1671 was referred from Committee on Appropriations to Committee on Transportation.

On motion of Mr. Ebersole, House Bill No. 1730 was referred from Committee on Appropriations to Committee on Rules.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 9:30 a.m., Monday, March 11, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**FIFTY-SEVENTH DAY**

-----  
**MORNING SESSION**  
 -----

House Chamber, Olympia, Monday, March 11, 1991

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Day, Grant, Locke and Phillips. On motion of Mr. Orr, Representative Day, Grant, Locke and Phillips were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Adam Porad and Jennifer Rogers. Prayer was offered by The Reverend Ron Gadde, Gloria Dei Lutheran Church of Olympia.

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

**MESSAGE FROM THE SENATE**

March 8, 1991

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5086,  
 SENATE BILL NO. 5170,  
 SUBSTITUTE SENATE BILL NO. 5180,  
 SUBSTITUTE SENATE BILL NO. 5343,  
 SENATE BILL NO. 5442,  
 SENATE BILL NO. 5584,  
 SUBSTITUTE SENATE BILL NO. 5702,

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

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

**INTRODUCTIONS AND FIRST READING**

**HB 2182** by Representatives Ferguson, Holland, Horn, Betzoff, Van Luven, Miller, Tate, Paris, Brough and Vance

AN ACT Relating to averaging large property tax valuation increases; amending RCW 84.04.030, 84.40.020, 84.40.030, 84.40.040, 84.40.045, 84.41.041, 84.48.010, 84.48.065, 84.48.075, 84.48.080, 84.12.270, 84.12.280, 84.12.310, 84.12.330,

84.12.350, 84.12.360, 84.16.040, 84.16.050, 84.16.090, 84.16.110, 84.16.120, 84.24.040, 84.36.041, 84.52.063, and 84.70.010; adding a new section to chapter 84.04 RCW; adding a new section to chapter 84.40 RCW; and providing a contingent effective date.

Referred to Committee on Revenue.

ESSB 5086 by Committee on Health & Long-Term Care (originally sponsored by Senators Amondson, Snyder, Bailey, Wojahn, Hayner, McMullen, Anderson, L. Kreidler, McDonald, Vognild, Newhouse, Craswell, Johnson, Owen, L. Smith, Oke, Conner, Rasmussen, Bauer, Moore, Stratton, McCaslin, Barr, Matson, Roach, Thorsness, Metcalf, Sellar, Nelson, Sutherland and West)

Providing for HIV testing without consent for certain persons.

Referred to Committee on Judiciary.

SB 5170 by Senators Snyder, Nelson and Rasmussen

Changing the number of district judges.

Referred to Committee on Judiciary.

SSB 5180 by Committee on Law & Justice (originally sponsored by Senators Nelson, Vognild and Sellar)

Restricting civil actions to appoint receivers to manage real property.

Referred to Committee on Housing.

SSB 5343 by Committee on Environment & Natural Resources (originally sponsored by Senators Owen, Amondson, Sutherland, Conner, Metcalf, Bauer, Hansen, Vognild, Madsen and Bailey)

Establishing a plan for mitigation requirements if game fish habitat is impaired.

Referred to Committee on Fisheries & Wildlife.

SB 5442 by Senator Moore

Changing motorcycle instruction permit restrictions.

Referred to Committee on Transportation.

SB 5584 by Senators Newhouse, Vognild, Nelson, Hansen, Thorsness, Owen and Bailey

Clarifying the method for determining the proportionate share of damages when multiple parties are at fault.

Referred to Committee on Judiciary.

SSB 5702 by Committee on Ways & Means (originally sponsored by Senators McDonald, Talmadge, Craswell, McMullen, Anderson, Rasmussen, Bluechel and Thorsness)

Directing the economic and revenue forecast council to forecast caseloads.

Referred to Committee on Revenue.

#### MOTION

On motion of Mr. Ebersole, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

#### REPORTS OF STANDING COMMITTEES

March 5, 1991

HB 1058 Prime Sponsor, Representative Wang: Reorganizing treasurer-managed funds and accounts. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1058 be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Leonard; Phillips; Rust; and Van Luven.

MINORITY recommendation: Do not pass. Signed by Representatives Brumsickle; Day; Morris; Morton; and Silver.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1073 Prime Sponsor, Representative O'Brien: Dealing with voter registration for high school students. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Brekke; Dorn; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Peery; Pruitt; H. Sommers; Sprengle; Valle; and Vance.

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

Voting nay: Representatives Braddock; Ebersole; Nealey; Rust; and Wineberry.

Excused: Representatives Silver, Ranking Minority Member; and Holland.

Passed to Committee on Rules for second reading.

March 7, 1991

HB 1125 Prime Sponsor, Representative Braddock: Changing the billing period to twelve months. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

Excused: Representative Holland.

Passed to Committee on Rules for second reading.

March 8, 1991

HB 1172 Prime Sponsor, Representative Holland: Creating the school pathway and bus stop improvement program. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor, and the substitute bill do pass with the following amendment by Committee on Transportation:

On page 2, line 17, strike "legislative transportation committee" and insert "Washington traffic safety commission"

Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representatives Basich, Horn, R. Johnson and Jones.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1204 Prime Sponsor, Representative Riley: Changing provisions relating to natural resources conservation areas. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill by Committee on Natural Resources & Parks be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Revenue:

On page 5, line 21, after "securities," strike everything through "account" on line 26 and insert "and other monetary instruments of value. Income derived from the management of natural resources conservation areas shall also be deposited in this stewardship account."

On page 6, beginning on line 5, strike all of section 9

Renumber the sections consecutively and correct any internal references accordingly.

On page 6, beginning on line 13, strike all of section 11

Renumber the sections consecutively and correct any internal references accordingly.

On page 1, line 3 of the title, strike "79.71.090, and 43.84.090; creating new sections" and insert "79.71.090; creating a new section"

Signed by Representatives Wang, Chair; Fraser, Vice Chair; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Phillips; Rust; Silver; and Van Luven.

MINORITY recommendation: Without recommendation. Signed by Representatives Holland, Ranking Minority Member; and Morton.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1214 Prime Sponsor, Representative Anderson: Providing for one hundred percent cash out for accumulated sick leave. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on State Government be substituted therefor, and the substitute bill do pass with the following amendment by Committee on Appropriations:

On page 2, after line 20, strike all material through line 6 on page 3 and insert:

"(4) Pursuant to this subsection, in lieu of cash remuneration the state may, with equivalent funds, provide eligible employees with a benefit plan providing for reimbursement of medical expenses. The committee for deferred compensation shall develop any benefit plan established under this subsection, but may offer and administer the plan only if (a) each eligible employee has the option of whether to receive cash remuneration or to have his or her employer transfer equivalent funds to the plan; and (b) the committee has received an opinion from the United States internal revenue service stating that participating employees, prior to the time of receiving reimbursement for expenses, will incur no United States income tax liability on the amount of the equivalent funds transferred to the plan."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Sprenkle; Valle; Vance; and Wineberry.

Excused: Representatives Holland; Lisk; and Rust.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1286 Prime Sponsor, Representative Franklin: Revising collective bargaining provisions for superior court employees. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Appelwick; Belcher; Braddock; Brekke; Dorn; Ebersole; Hine; Lisk; May; Mielke; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Bowman; Ferguson; Fuhrman; McLean; Nealey; and Vance.

Excused: Representatives Holland and Sprenkle.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1343 Prime Sponsor, Representative Sprenkle: Permitting HIV testing of accused sex offenders. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor, and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Vance; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Brekke and Wang.

Excused: Representative Holland.

Passed to Committee on Rules for second reading.

March 7, 1991

HB 1431 Prime Sponsor, Representative R. Fisher: Updating the Model Traffic Ordinance. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betzoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representative Cooper.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1490 Prime Sponsor, Representative R. Johnson: Changing provisions relating to flood control management. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Local Government be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The purpose of this act is to permit counties to adopt a comprehensive system of flood control management and protection within drainage basins and to coordinate the flood control activities of the state, counties, cities, towns, and special districts within such drainage basins.

NEW SECTION. Sec. 2. A new section is added to chapter 86.12 RCW to read as follows:

The county legislative authority of any county may adopt a comprehensive flood control management plan for any drainage basin that is located wholly or partially within the county.

A comprehensive flood control management plan shall include the following elements:

(1) Designation of areas that are susceptible to periodic flooding, from inundation by bodies of water or surface water runoff, or both, including the river's meander belt or floodway;

(2) Establishment of a comprehensive scheme of flood control protection and improvements for the areas that are subject to such periodic flooding, that includes: (a) Determining the need for, and desirable location of, flood control improvements to protect or preclude flood damage to structures, works, and improvements, based upon a cost/benefit ratio between the expense of providing and maintaining these improvements and the benefits arising from these improvements; (b) establishing the level of flood protection that each portion of the system of flood control improvements will be permitted; (c) identifying alternatives to in-stream flood control work; (d) identifying areas where flood waters could be directed during a flood to avoid damage to buildings and other structures; and (e) identifying sources of revenue that will be sufficient to finance the comprehensive scheme of flood control protection and improvements;

(3) Establishing land use regulations that preclude the location of structures, works, or improvements in critical portions of such areas subject to periodic flooding, including a river's meander belt or floodway, and permitting only flood-compatible land uses in such areas;

(4) Establishing restrictions on construction activities in areas subject to periodic floods that require the flood proofing of those structures that are permitted to be constructed or remodeled; and

(5) Establishing restrictions on land clearing activities and development practices that exacerbate flood problems by increasing the flow or accumulation of flood waters, or the intensity of drainage, on low-lying areas.

A comprehensive flood control management plan shall be subject to the minimum requirements for participation in the national flood insurance program, requirements exceeding the minimum national flood control insurance program that have been adopted by the department of ecology for a specific flood plain pursuant to RCW 86.16.031, and rules adopted by the department of ecology pursuant to RCW 86.26.050 relating to flood plain management activities. When a county plans under chapter 36.70A RCW, it may incorporate the portion of its comprehensive flood control management plan relating to land use restrictions in its comprehensive plan and development regulations adopted pursuant to chapter 36.70A RCW.

NEW SECTION. Sec. 3. A new section is added to chapter 86.12 RCW to read as follows:

A comprehensive flood control management plan that includes an area within which a city or town, or a special district subject to chapter 85.38 RCW, is located shall be developed by the county with the participation of officials from the city, town, or special district, including conservation districts, and appropriate state and federal agencies. Where a comprehensive flood control management plan is being prepared for a river that is part of the common boundary between two counties, the county legislative authority of the county preparing the plan may allow participation by officials of the adjacently located county.

A comprehensive flood control management plan shall be binding on each city, town, and special district that is located within an area included in the plan, except that the land use regulations and restrictions on construction activities contained in a comprehensive flood control management plan applicable to a city or town shall be minimum standards that the city or town may exceed.

NEW SECTION. Sec. 4. A new section is added to chapter 86.12 RCW to read as follows:

A county may create one or more advisory committees to assist in the development of proposed comprehensive flood control management plans and to provide general advice on flood problems. The advisory committees may include city and town officials, officials of special districts subject to chapter 85.38 RCW, conservation districts, appropriate state and federal officials, and officials of other counties and other interested persons.

Sec. 5. RCW 86.26.050 and 1988 c 36 s 64 are each amended to read as follows:

(1) State participation shall be in such preparation of comprehensive flood control management plans under this chapter and chapter 86.12 RCW, cost sharing feasibility studies for new flood control projects, and flood control maintenance projects as are affected with a general public and state interest, as differentiated from a private interest, and as are likely to bring about public benefits commensurate with the amount of state funds allocated thereto.

(2) No participation for flood control maintenance projects may occur with a county or other municipal corporation unless the director of ecology has approved the flood plain management activities of the county, city, or town having planning jurisdiction over the

area where the flood control maintenance project will be, on the one hundred year flood plain surrounding such area.

The department of ecology shall adopt rules concerning the flood plain management activities of a county, city, or town that are adequate to protect or preclude flood damage to structures, works, and improvements, including the restriction of land uses within a river's meander belt or floodway to only flood-compatible uses. Whenever the department has approved county, city, and town flood plain management activities, as a condition of receiving an allocation of funds under this chapter, each revision to the flood plain management activities must be approved by the department of ecology, in consultation with the department of fisheries and the department of wildlife.

No participation with a county or other municipal corporation for flood control maintenance projects may occur unless the county engineer of the county within which the flood control maintenance project is located certifies that a comprehensive flood control management plan has been completed and adopted by the appropriate local authority, or is being prepared for all portions of the river basin or other area, within which the project is located in that county, that are subject to flooding with a frequency of one hundred years or less.

(3) Participation for flood control maintenance projects and preparation of comprehensive flood control management plans shall be made from grants made by the department of ecology from the flood control assistance account. Comprehensive flood control management plans, and any revisions to the plans, must be approved by the department of ecology, in consultation with the department of fisheries and the department of wildlife. The department may only grant financial assistance to local governments that, in the opinion of the department, are making good faith efforts to take advantage of, or comply with, federal and state flood control programs.

Sec. 6. RCW 86.26.090 and 1984 c 212 s 7 are each amended to read as follows:

The state shall participate with eligible local authorities in maintaining and restoring the normal and reasonably stable river and stream channel alignment and the normal and reasonably stable river and stream channel capacity for carrying off flood waters with a minimum of damage from bank erosion or overflow of adjacent lands and property; and in restoring, maintaining and repairing natural conditions, works and structures for the maintenance of such conditions. State participation in the repair of flood control facilities may include the enhancement of such facilities. The state shall likewise participate in the restoration and maintenance of natural conditions, works or structures for the protection of lands and other property from inundation or other damage by the sea or other bodies of water. Funds from the flood control assistance account shall not be available for maintenance of works or structures maintained solely for the detention or storage of flood waters.

Sec. 7. RCW 86.26.100 and 1986 c 46 s 4 are each amended to read as follows:

State participation in the cost of any flood control maintenance project shall be provided for by a written memorandum agreement between the director of ecology and the legislative authority of the county submitting the request, which agreement, among other things, shall state the estimated cost and the percentage thereof to be borne by the state. In no instance, except on emergency projects, shall the state's share exceed one-half the cost of the project, to include project planning and design. Grants for cost sharing feasibility studies for new flood control projects shall not exceed fifty percent of the matching funds that are required by the federal government, and shall not exceed twenty-five percent of the total costs of the feasibility study. However, grants to prepare a comprehensive flood control management plan required under RCW 86.26.050 shall not exceed seventy-five percent of the full planning costs, but not to exceed amounts for either purpose specified in rule and regulation by the department of ecology.

NEW SECTION. Sec. 8. A new section is added to chapter 86.15 RCW to read as follows:

A board may not establish a zone including an area located in another zone unless this area is removed from the other zone, or the other zone is dissolved, as part of the action creating the new zone.

Sec. 9. RCW 86.15.178 and 1983 c 315 s 23 and 1983 c 167 s 212 are each reenacted to read as follows:

(1) The supervisors may authorize the issuance of revenue bonds to finance any flood control improvement or storm water control improvement. The bonds may be issued by the supervisors in the same manner as prescribed in RCW 36.67.510 through 36.67.570 pertaining to counties. The bonds shall be issued on behalf of the zone or participating zones when the improvement has by the resolution, provided in RCW 86.15.110, been found to be of benefit to a zone or participating zones. The bonds may be in any form, including bearer bonds or registered bonds.

Each revenue bond shall state on its face that it is payable from a special fund, naming the fund and the resolution creating the fund.

Revenue bond principal, interest, and all other related necessary expenses shall be payable only out of the appropriate special fund.

A zone or participating zones shall have a lien for delinquent service charges, including interest thereon, against the premises benefited by a flood control improvement or storm water control improvement, which lien shall be superior to all other liens and encumbrances except general taxes and local and special assessments. The lien shall be effective and shall be enforced and foreclosed in the same manner as provided for sewerage liens of cities and towns by RCW 35.67.200 through 35.67.290.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter 39.46 RCW.

Sec. 10. RCW 86.16.110 and 1987 c 109 s 23 are each reenacted and amended to read as follows:

Any person, association, or corporation, public, municipal, or private, feeling aggrieved at any order, decision, or determination of the department or director pursuant to this chapter, affecting his or her interest, may have the same reviewed pursuant to RCW 43.21B.310.

NEW SECTION. Sec. 11. The department of fisheries and the department of wildlife shall process hydraulic project applications submitted under RCW 75.20.100 or 75.20.103 within thirty days of receipt of the application. This requirement is only applicable for the repair and reconstruction of legally constructed dikes, seawalls, and other flood control structures damaged as a result of flooding or windstorms which occurred in November and December, 1990.

NEW SECTION. Sec. 12. The following acts or parts of acts are each repealed:

- (1) RCW 86.15.040 and 1961 c 153 s 4;
- (2) RCW 86.16.027 and 1987 c 109 s 51 & 1935 c 159 s 9;
- (3) RCW 86.16.030 and 1987 c 109 s 52 & 1935 c 159 s 5;
- (4) RCW 86.16.040 and 1987 c 109 s 54 & 1935 c 159 s 11;
- (5) RCW 86.16.060 and 1987 c 109 s 55 & 1935 c 159 s 13;
- (6) RCW 86.16.065 and 1987 c 109 s 56 & 1935 c 159 s 14;
- (7) RCW 86.16.067 and 1987 c 109 s 57, 1985 c 469 s 86, & 1935 c 159 s 15;
- (8) RCW 86.16.070 and 1987 c 109 s 58 & 1935 c 159 s 16;
- (9) RCW 86.16.080 and 1987 c 109 s 59 & 1935 c 159 s 10;
- (10) RCW 86.16.090 and 1987 c 109 s 60, 1939 c 85 s 2, & 1935 c 159 s 7; and
- (11) RCW 86.16.170 and 1987 c 109 s 62 & 1973 c 75 s 3.

On page 1, line 1 of the title, after "management;" strike the remainder of the title and insert "amending RCW 86.26.050, 86.26.090, and 86.26.100; reenacting and amending RCW 86.16.110; reenacting RCW 86.15.178; adding new sections to chapter 86.12 RCW; adding a new section to chapter 86.15 RCW; creating new sections; and

repealing RCW 86.15.040, 86.16.027, 86.16.030, 86.16.040, 86.16.060, 86.16.065, 86.16.067, 86.16.070, 86.16.080, 86.16.090, and 86.16.170."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

Excused: Representative Holland.

Passed to Committee on Rules for second reading.

March 8, 1991

HB 1514 Prime Sponsor, Representative Silver: Requiring snowmobilers to wear helmets. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Betzoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Cantwell; Day; G. Fisher; Former; Haugen; Horn; P. Johnson; R. Johnson; Jones; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives R. Meyers, Vice Chair; Brough; Cooper; Heavey; and Kremen.

Voting nay: Representatives Brough; G. Fisher; Heavey; Kremen; and Zellinsky.

Excused: Representatives Basich and R. Johnson.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1546 Prime Sponsor, Representative Nelson: Changing provisions relating to property tax levies by port districts. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill by Committee on Local Government be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Appelwick; Belcher; Day; Leonard; Morris; Phillips; and Rust.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Brumsickle; Morton; and Silver.

Excused: Representative Van Luven.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1635 Prime Sponsor, Representative Haugen: Providing for taxes to fund emergency medical care services. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill by Committee on Local Government be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; and Silver.

Excused: Representative Van Luven.

Passed to Committee on Rules for second reading.

March 8, 1991

HB 1647 Prime Sponsor, Representative Locke: Authorizing public works loans to local governments in timber impact areas. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass as amended by Committee on Trade & Economic Development (For committee amendment, see Journal, 51st Day, March 5, 1991.) and with the following amendments by Committee on Capital Facilities & Financing:

On page 3, line 3, strike all of section 3

On page 3, line 8, after "committees" insert "quarterly reports on loan applications under consideration and loans awarded by the board and"

On page 3, line 10, after "1993." insert "The board shall provide to the legislative fiscal committees a report on January 15, 1995, and January 15, 1996, identifying by county the economic growth and or economic diversification attributable to the loan awards authorized by this act."

Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Neher, Assistant Ranking Minority Member; Braddock; Fraser; Heavey; Jacobsen; Ogden; Peery; and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Schmidt, Ranking Minority Member; Beck; Brough; Casada; and Silver.

Excused: Representatives Heavey and Wang.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1649 Prime Sponsor, Representative Rust: Updating municipality water discharge fees. Reported by Committee on Revenue

**MAJORITY recommendation:** The substitute bill by Committee on Environmental Affairs be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Belcher; Brumsickle; Day; Morris; Phillips; Rust; and Silver.

**MINORITY recommendation:** Do not pass. Signed by Representative Morton.

Voting nay: Representatives Morton and Silver.

Excused: Representative Van Luyen.

Passed to Committee on Rules for second reading.

March 8, 1991

**HB 1686** Prime Sponsor, Representative Hargrove: Creating an incentive program for inmates. Reported by Committee on Capital Facilities & Financing

**MAJORITY recommendation:** The substitute bill by Committee on Human Services be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Capital Facilities & Financing:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Sec. 1. The legislature finds that the rehabilitation process may be enhanced by participation in training, education, and employment-related incentive programs and may be a consideration in reducing time in confinement.

**NEW SECTION.** Sec. 2. A new section is added to chapter 72.60 RCW to read as follows:

(1) The department of corrections shall develop, in accordance with RCW 72.09.010, a site-specific implementation plan for prison industries space at Clallam Bay corrections center, McNeil Island corrections center, and the one thousand twenty-four-bed medium security prison as appropriated for and authorized by the legislature.

(2) Each implementation plan shall include, but not be limited to, sufficient space and design elements that allow for: Meaningful and productive class I, class II, and class IV employment opportunities; educational opportunities; and incentives. The department shall include in the implementation plans an incentive program based on wages.

(3) The incentive program shall be developed so that inmates can earn higher wages based on performance and production. Only those inmates employed in class I and class II jobs may participate in the incentive program. The department shall develop special program criteria for inmates with physical or mental handicaps so that they can participate in the incentive program.

(4) The department shall propose rules specifying that funds recovered by the department from inmate wages, other than the amount an inmate owes for taxes, legal financial obligations, and to the victim restitution fund, shall be returned to the department to pay for the cost of prison operations, including room and board, as defined by the department.

(5) The plan shall identify actual or potential legal or operational obstacles, or both, in implementing the components of the plan as specified in this section, and recommend strategies to remove the obstacles.

(6) The department shall submit the plan to the appropriate fiscal committees of the legislature and to the governor by October 1, 1991.

NEW SECTION. Sec. 3. 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. 4. 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 shall take effect immediately.

On page 1, line 1 of the title, after "industries;" strike the remainder of the title and insert "adding a new section to chapter 72.60 RCW; creating a new section; and declaring an emergency."

Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schmidt, Ranking Minority Member; Neher, Assistant Ranking Minority Member; Beck; Braddock; Brough; Casada; Fraser; Heavey; Jacobsen; Ogden; Peery; Silver; and Wang.

Excused: Representative Heavey.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1709 Prime Sponsor, Representative Fraser: Concerning safe drinking water. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill by Committee on Environmental Affairs be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; and Silver.

Excused: Representative Van Luven.

Passed to Committee on Rules for second reading.

March 8, 1991

HB 1739 Prime Sponsor, Representative Leonard: Providing a property tax exemption for certain nonprofit organizations. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill by Committee on Housing be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; and Silver.

Excused: Representative Van Luven.

Passed to Committee on Rules for second reading.

March 8, 1991

HB 1762 Prime Sponsor, Representative Brough: Allowing eleventh and twelfth grade students to take courses at institutions of higher education for high school credit. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor, and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Holland; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Belcher, Lisk, Rust, Sprengle and Vance.

Passed to Committee on Rules for second reading.

March 7, 1991

HB 1796 Prime Sponsor, Representative Belcher: Addressing problems with health care coverage for retired and disabled public employees. Reported by Committee on Appropriations

MAJORITY recommendation: That Substitute House Bill No. 1796 be substituted therefor, and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

Excused: Representative Holland.

Passed to Committee on Rules for second reading.

March 7, 1991

HB 1810 Prime Sponsor, Representative R. Fisher: Financing the state patrol headquarters construction project. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 1810 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betzoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Cantwell; Cooper; Day; Haugen; Heavey; Horn; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wood; and Zellinsky.

Excused: Representative Cooper.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1841 Prime Sponsor, Representative Leonard: Assisting mobile home tenants. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill by Committee on Housing be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; and Silver.

Excused: Representative Van Luven.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1851 Prime Sponsor, Representative Wang: Increasing fees and penalties related to the administration of the department of ecology's water resources program. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1851 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Appelwick; Belcher; Day; Leonard; Phillips; and Rust.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Brumsickle; Morris; Morton; and Van Luven.

Voting nay: Representatives Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Brumsickle; Morris; Morton; Silver; and Van Luven.

Passed to Committee on Rules for second reading.

March 5, 1991

HB 1854 Prime Sponsor, Representative Wang: Regulating forest lands to maintain a viable forest products industry. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Appelwick; Belcher; Day; Leonard; Phillips; and Rust.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Brumsickle; Morris; Morton; Silver; and Van Luven.

Passed to Committee on Rules for second reading.

March 8, 1991

HB 1864 Prime Sponsor, Representative Kremen: Changing requirements for removal of sand and gravel from aquatic lands. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Natural Resources & Parks be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

On page 2, beginning on line 20, strike all of sections 2 and 3

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 1, line 2 of the title, after "79.90.150;" strike "creating a new section; making appropriations;"

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Belcher; Fuhrman; Holland; Lisk; Rust; and Wineberry.

Passed to Committee on Rules for second reading.

March 8, 1991

HB 1877 Prime Sponsor, Representative Hargrove: Creating the Olympic natural resources center. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: The substitute bill by Committee on Natural Resources & Parks be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Capital Facilities & Financing:

On page 4, line 25, strike all of section 5

On page 5, after line 10, strike all of section 6

Renumber remaining sections consecutively and correct internal references accordingly.

Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schmidt, Ranking Minority Member; Neher, Assistant Ranking Minority Member; Beck; Braddock; Brough; Casada; Fraser; Heavey; Jacobsen; Ogden; Peery; Silver; and Wang.

Excused: Representatives Schmidt, Ranking Minority Member; Heavey; Silver; and Wang.

Passed to Committee on Rules for second reading.

March 7, 1991

HB 1883 Prime Sponsor, Representative R. Meyers: Encouraging gasohol. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended by Committee on Energy & Utilities. (For committee amendments, see Journal, 46th Day, February 28, 1991.) Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representative Cooper.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1931 Prime Sponsor, Representative Brough: Raising the limit on nonprofit raffles. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill by Committee on Commerce & Labor be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; and Silver.

Excused: Representative Van Luven.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1956 Prime Sponsor, Representative Rayburn: Changing provisions for plant protection. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill by Committee on Agriculture & Rural Development be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; and Silver.

MINORITY recommendation: Without recommendation. Signed by Representative Van Luven.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1993 Prime Sponsor, Representative Peery: Concerning stadiums, and convention and performing arts centers. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1993 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; Silver; and Van Loven.

Passed to Committee on Rules for second reading.

March 7, 1991

HB 2005 Prime Sponsor, Representative Jones: Regulating freight brokers and forwarders. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 2005 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representative Cooper.

Passed to Committee on Rules for second reading.

March 8, 1991

HB 2024 Prime Sponsor, Representative Fisher: Subsidizing county losses involved in vehicle title and registration activities. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 2024 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representatives Basich, R. Johnson, Jones and Orr.

Passed to Committee on Rules for second reading.

March 7, 1991

HB 2050 Prime Sponsor, Representative Meyers: Revising the state subsidy of county ferries. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 2050 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Former; Haugen; Heavey; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Excused: Representative Cooper.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 2132 Prime Sponsor, Representative Wang: Modifying the definition of employee to include certain insurance salespersons for the purposes of the business and occupation tax exemption under RCW 82.04.360. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 2132 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; Silver; and Van Luven.

Passed to Committee on Rules for second reading.

March 6, 1991

HJM 4018 Prime Sponsor, Representative Jones: Concerning tax of retirement income. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Silver; and Van Luven.

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

Passed to Committee on Rules for second reading.

## MOTION

On motion of Mr. Ebersole, the bills and memorial listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

## RESOLUTIONS

HOUSE RESOLUTION NO. 91-4643, by Representatives Basich, Sheldon, Riley, P. Johnson and Hargrove

WHEREAS, The Review Club of Aberdeen is celebrating one hundred years of existence; and

WHEREAS, The organization was founded by women pioneers in March of 1891 with hopes of broadening their knowledge while helping settle the Great Northwest; and

WHEREAS, The Review Club of Aberdeen obtains knowledge through two monthly meetings to discuss and review books, and each meeting features a short talk on any topic and a review of a book of a member's choice; and

WHEREAS, There are currently fifteen members and thirteen lifetime members who have been involved in the organization for over twenty-five years; and

WHEREAS, Agnes Nelson joined the club in 1922 and is still an active member today;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor the Review Club of Aberdeen and its members' commitment to knowledge and education; and

BE IT FURTHER RESOLVED, That the House of Representatives congratulate the Review Club of Aberdeen, and wish "the oldest Cultural Club in Washington" another successful one hundred years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Review Club of Aberdeen.

Mr. Basich moved adoption of the resolution and spoke in favor of it.

House Resolution No. 91-4643 was adopted.

HOUSE RESOLUTION NO. 91-4642, by Representatives Broback, Zellinsky, R. Meyers, Wilson, Brumsickle, Wynne, R. Johnson, Sprengle, P. Johnson, Anderson, Tate, Bowman, Ballard, Dellwo, Padden, Brough, Appelwick, Basich, Beck, Belcher, Betzoff, Braddock, Bray, Brekke, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dorn, Ebersole, Edmondson, Ferguson, G. Fisher, R. Fisher, Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Jones, J. King, R.

King, Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Mielke, Miller, Mitchell, Morris, Morton, Moyer, H. Myers, Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, D. Sommers, H. Sommers, Spanel, Valle, Vance, Van Luven, Wang, Wineberry, Winsley, Wood,

WHEREAS, The National Guard, citizen-soldiers dedicated to preserving peace and keeping law and order, is a vital asset to the resources of a state; and

WHEREAS, The National Guard performs a dual mission of providing trained and equipped units both to augment the Armed Forces of the United States when called by the President, and for the protection of life and property and the preservation of peace, order, and public safety under orders of the Governor; and

WHEREAS, The Washington National Guard has diligently performed its mission for over one hundred thirty-five years, initially organized under the Militia Act of 1855, the territorial militia was formally designated the National Guard of Washington by the Legislature in 1888; and

WHEREAS, The Washington National Guard currently has more than nine thousand members, comprised of our friends and neighbors who also serve their respective local communities as civic and religious leaders, professionals and laypersons, blue-collar and white-collar workers, representing virtually all walks of life; and

WHEREAS, The members of the Washington National Guard have consistently performed their duties at home by evacuating residents during floods, fighting forest fires, performing search and rescue missions, and assisting police departments in drug enforcement activities; and

WHEREAS, Approximately five hundred members of the Washington National Guard are currently serving in the Persian Gulf and world-wide for Operation Desert Storm, including men and women from the Air National Guard's 141st Air Refueling Wing and 252nd Combat Communications Group, and the Army National Guard's 241st and 1444th Transportation Detachments, 116th Support Center, and 541st Personnel Service Company;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor the brave men and women of Washington's National Guard for their dedication and service to their country and to the people of the State of Washington; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Major General Gregory P. Barlow and the commanding officer at each of the National Guard Unit Locations in the State of Washington.

Mr. Broback moved adoption of the resolution. Representatives Broback, Zellinsky, Bowman, Anderson, Forner, R. Johnson, Heavey and Wynne spoke in favor of the resolution.

On motion of Mr. Tate, the rules were suspended and the names of all members of the House of Representatives were added as sponsors of the resolution.

House Resolution No. 91-4642 was adopted.

### SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced Major General Gregory P. Barlow, Washington National Guard, who was seated on the rostrum. Major General Barlow briefly addressed the member of the House of Representatives.

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

### SECOND READING

#### MOTION

Mr. Dorn moved that the House immediately consider House Bill No. 1102, House Bill No. 1185 and House Bill No. 1225 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1102, by Representatives Kremen, Heavey and Braddock

Requiring certification of electric spa equipment.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Kremen spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1102, and the bill passed the House by the following vote: Yeas - 94, Nays - 0, Absent - 0, Excused - 4.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Berozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Day, Grant, Locke, Phillips - 04.

House Bill No. 1102, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1185, by Representatives Appelwick, Paris and Wineberry

Requiring certain federal liens to be filed with the department of licensing.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Appelwick spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1185, and the bill passed the House by the following vote: Yeas - 94, Nays - 0, Absent - 0, Excused - 4.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Day, Grant, Locke, Phillips - 04.

House Bill No. 1185, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1225, by Representatives Winsley, Wang, Ballard, Leonard, Nelson, Ebersole, Mitchell, Franklin, Heavey, D. Sommers, Paris, Broback, May, Bowman, Brough, Edmondson, Dellwo, Wood, Jones, Wynne, Scott, Jacobsen, Fraser, Moyer, Phillips, Brekke and Rasmussen

Providing a procedure for the classification and valuation of property devoted primarily to low-income housing.

The bill was read the second time. Committee on Revenue recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 39th Day, February 21, 1991.)

Ms. Fraser moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Winsley and Nelson spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1225, and the bill passed the House by the following vote: Yeas - 94, Nays - 0, Absent - 0, Excused - 4.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Day, Grant, Locke, Phillips - 04.

Engrossed House Bill No. 1225, having received the constitutional majority, was declared passed.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.  
The Speaker (Mr. R. Meyers presiding) called the House to order.

Representatives Day and Phillips appeared at the bar of the House.

### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1217, House Bill No. 1072, House Bill No. 1310, House Bill No. 1501, House Bill No. 1509 and House Bill No. 1571 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1217, by Representatives Wineberry, McLean, Dellwo, Jones, Wang, Riley, Pruitt and Anderson

Extending the voter registration period.

The bill was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wineberry and McLean spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1217, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynnie, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Grant, Locke - 02.

House Bill No. 1217, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1072, by Representatives McLean, Anderson, R. Fisher, Moyer, Sheldon, Chandler, Bowman, Pruitt, Winsley, Broback, Edmondson, Paris, D. Sommers, May, Wynne, Brumsickle, Nealey, Miller, P. Johnson, Casada, Wood, Forner and Mitchell.

Changing provisions relating to elections.

The bill was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Anderson and McLean spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1072, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson,

Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Grant, Locke - 02.

House Bill No. 1072, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1310, by Representatives McLean, R. Fisher, Anderson, Miller, Hine, Moyer, Spanel, Bowman, Kremen, Ballard, Tate, Brekke, Vance, Paris, May, Leonard, Mitchell, Jacobsen, Wineberry, Pruitt, Basich and Wang

Establishing voter registration by mail.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Anderson and McLean spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1310, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Grant, Locke - 02.

House Bill No. 1310, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1312, by Representatives Wang, McLean and Anderson

Changing requirements for special campaign reports.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Anderson and McLean spoke in favor of passage of the bill.

### 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 - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Grant, Locke - 02.

House Bill No. 1312, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1501, by Representatives McLean, Anderson, Miller, Bowman, Chandler, Silver, Holland and Paris

Authorizing mail balloting in certain primaries and special elections.

The bill was read the second time. On motion of Mr. Anderson, Substitute House Bill No. 1501 was substituted for House Bill No. 1501, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1501 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Anderson and McLean spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1501, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Grant, Locke - 02.

Substitute House Bill No. 1501, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1509, by Representatives Anderson, McLean, Miller, Bowman, Haugen, Pruitt and Paris; by request of Secretary of State

Expanding eligibility for ongoing absentee voter status.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Anderson and McLean spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1509, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Grant, Locke - 02.

House Bill No. 1509, having received the constitutional majority, was declared passed.

### MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 1571 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1740, by Representatives Ogden, Winsley, Nelson, Leonard, May, Ebersole, Ballard, R. Johnson and Wineberry

Changing provisions relating to housing authorities.

The bill was read the second time. Committee on Housing recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 36th Day, February 18, 1991.)

Mr. Nelson moved adoption of the committee amendment on page 8 and spoke in favor of it. The committee amendment was adopted.

On motion of Mr. Nelson, the committee amendment on page 11 was adopted.

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ogden and Winsley spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1740, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Grant, Locke - 02.

Engrossed House Bill No. 1740, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Mr. Dorn, the House recessed until 1:00 p.m.

#### AFTERNOON SESSION

The Speaker (Mr. R. Meyers presiding) called the House to order at 1:00 p.m. The Clerk called the roll and all members were present except Representatives Appelwick, Basich, Belcher, Holland, Inslee, H. Myers, Padden, Phillips, Rayburn, H. Sommers, Sprengle and Wang. On motion of Mr. Vance, Representatives Holland and Padden were excused.

#### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1246 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1246, by Representatives R. King, Winsley, Jones, Ebersole, Prentice, O'Brien, R. Meyers, Scott and Phillips

Enforcing the payment of prevailing wages.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 37th Day, February 19, 1991.)

Mr. Nelson moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

#### MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 1271 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1277, by Representatives Grant, May, H. Myers, Hochstatter, Paris and Jacobsen; by request of Washington State Energy Office

Continuing the geothermal account ten additional years.

The bill was read the second time. Committee on Capital Facilities & Financing recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 37th Day, February 19, 1991.)

Ms. Rasmussen moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Grant and May spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1277, and the bill passed the House by the following vote: Yeas - 85, Nays - 1, Absent - 10, Excused - 2.

Voting yea: Representatives Anderson, Ballard, Beck, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Spanel, Tate, Valle, Vance, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representative Van Luven - 01.

Absent: Representatives Appelwick, Basich, Belcher, Inslee, Myers, H., Phillips, Rayburn, Sommers, H., Sprenkle, Wang - 10.

Excused: Representatives Holland, Padden - 02.

Engrossed House Bill No. 1277, having received the constitutional majority, was declared passed.

### STATEMENT FOR THE JOURNAL

My intention was a "Yes" vote on final passage of Engrossed House Bill No. 1277.

STEVE VAN LUVEN, 48th District.

Representatives Appelwick, Basich, H. Myers and Phillips appeared at the bar of the House.

HOUSE BILL NO. 1285, by Representatives Franklin, Cole, Heavey, R. King, Prentice, O'Brien, Hargrove, Ludwig, Jones, Leonard, Riley, Dellwo and Basich

Providing for payments for time lost from work while attending a medical examination for industrial insurance.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 32nd Day, February 14, 1991.)

On motion of Mr. Heavey, the committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Franklin spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1285, and the bill passed the House by the following vote: Yeas - 90, Nays - 0, Absent - 6, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Spanel, Tate, Valle, Vance, Van Loven, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 90.

Absent: Representatives Belcher, Inslee, Rayburn, Sommers, H., Sprenkle, Wang - 06.

Excused: Representatives Holland, Padden - 02.

Engrossed House Bill No. 1285, having received the constitutional majority, was declared passed.

Representative H. Sommers appeared at the bar of the House.

HOUSE BILL NO. 1287, by Representatives Heavey, Moyer, Franklin, Rayburn, Jones, May, Leonard, Tate, Hine, Ballard, Broback, Winsley, Wineberry, Anderson, Brekke, Miller, Riley, Kremen, Forner and Paris

Revising provisions for adoption.

The bill was read the second time. On motion of Ms. Leonard, Substitute House Bill No. 1287 was substituted for House Bill No. 1287, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1287 was read the second time.

Mr. Heavey moved adoption of the following amendment by Representatives Heavey, Leonard and Moyer:

On page 5, line 14, strike "an impartial, competent" and insert "a"

Mr. Heavey spoke in favor of adoption of the amendment, and it was adopted.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Heavey and Moyer spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1287, and the bill passed the House by the following vote: Yeas - 90, Nays - 1, Absent - 5, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representative Brough - 01.

Absent: Representatives Belcher, Inslee, Rayburn, Sprenkle, Wang - 05.

Excused: Representatives Holland, Padden - 02.

Engrossed Substitute House Bill No. 1287, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1325, by Representatives Rasmussen, Miller and Dorn; by request of Utilities & Transportation Commission

Regulating certain nonmunicipal water systems.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rasmussen spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1325, and the bill passed the House by the following vote: Yeas - 91, Nays - 0, Absent - 5, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luvan, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 91.

Absent: Representatives Belcher, Inslee, Rayburn, Sprengle, Wang - 05.

Excused: Representatives Holland, Padden - 02.

House Bill No. 1325, having received the constitutional majority, was declared passed.

Representatives Belcher and Inslee appeared at the bar of the House.

HOUSE BILL NO. 1342, by Representatives Kremen, Braddock, R. Fisher, Spanel, R. Johnson and Nelson

Authorizing cities to impose an excise tax on the sale or distribution of motor vehicle fuel and special fuel.

The bill was read the second time. On motion of Ms. R. Fisher, Substitute House Bill No. 1342 was substituted for House Bill No. 1342, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1342 was read the second time.

The Speaker (Mr. R. Meyers presiding) passed Substitute House Bill No. 1342 to Committee on Rules for third reading.

## MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 1434 and House Bill No. 1462 and that the bills hold their places on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1467, by Representatives R. Meyers, Padden, Paris, Tate, Mielke, Broback, Forner, Vance, May, Brough, Winsley, D. Sommers, Mitchell and Roland

Increasing the number of district judges.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1467, and the bill passed the House by the following vote: Yeas - 93, Nays - 0, Absent - 3, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Rayburn, Sprenkle, Wang - 03.

Excused: Representatives Holland, Padden - 02.

House Bill No. 1467, having received the constitutional majority, was declared passed.

Representative Rayburn appeared at the bar of the House.

HOUSE BILL NO. 1486, by Representatives Rust, Belcher, Horn, Valle, Brekke, Pruitt and Jacobsen

Establishing new integrated pest management procedures.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 1486 was substituted for House Bill No. 1486, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1486 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust and Horn spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1486, and the bill passed the House by the following vote: Yeas - 94, Nays - 0, Absent - 2, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luvan, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Sprenkle, Wang - 02.

Excused: Representatives Holland, Padden - 02.

Substitute House Bill No. 1486, having received the constitutional majority, was declared passed.

Representative Padden appeared at the bar of the House.

HOUSE BILL NO. 1563, by Representatives Schmidt, H. Sommers, Anderson, Belcher, Neher, Brumsickle, Betzoff and Rasmussen; by request of Department of General Administration

Creating a facility land bank.

The bill was read the second time. On motion of Ms. H. Sommers, Substitute House Bill No. 1563 was substituted for House Bill No. 1563, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1563 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Schmidt spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1563, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 2, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson,

Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Sprenkle, Wang - 02.

Excused: Representative Holland - 01.

Substitute House Bill No. 1563, having received the constitutional majority, was declared passed.

Representative Holland appeared at the bar of the House.

HOUSE JOINT RESOLUTION NO. 4205, by Representatives Winsley, Wang, Ballard, Leonard, Mitchell, Nelson, Ebersole, Franklin, Bowman, Jones, R. Johnson, Jacobsen, Betrozoff, Fraser, R. King, Phillips, Brekke, Inslee, Spanel, Rasmussen and Anderson

Amending the Constitution to allow property devoted to low-income housing to be taxed based on its current use value.

The resolution was read the second time. On motion of Ms. Fraser, Substitute House Joint Resolution No. 4205 was substituted for House Joint Resolution No. 4205, and the substitute resolution was placed on the second reading calendar.

Substitute House Joint Resolution No. 4205 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Ms. Winsley spoke in favor of passage of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Joint Resolution No. 4205, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 2, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers,

H., Spanel, Tate, Valle, Vance, Van Luven, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Absent: Representatives Sprenkle, Wang - 02.

Substitute House Joint Resolution No. 4205, having received the constitutional majority, was declared passed.

### MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 1008 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1081, by Representatives Morris, R. Fisher, Braddock, Winsley, Moyer, Paris, Day, G. Fisher, Prentice, H. Sommers, Cooper, R. Johnson, Rust, Dellwo, Pruitt, Phillips, Sprenkle, Riley, Wineberry, Basich, Jacobsen, Leonard, Roland, Bowman, Brekke, Orr, Appelwick and Anderson.

Implementing a bicycle safety program.

The bill was read the second time. On motion of Ms. R. Fisher, Substitute House Bill No. 1081 was substituted for House Bill No. 1081, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1081 was read the second time.

Ms. Brough moved adoption of the following amendment by Representatives Brough, Morris, Betrozoff and R. Fisher:

On page 5, line 1, after "sounds" strike "to both ears"

Representatives Brough, Morris and R. Fisher spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1177, by Representatives Holland, Leonard, Peery, Brough, Jones and Winsley

Clarifying school district boards of directors' responsibilities.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 50th Day, March 4, 1991.)

Mr. Peery moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Holland spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1177, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 2, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Absent: Representatives Sprenkle, Wang - 02.

Engrossed House Bill No. 1177, having received the constitutional majority, was declared passed.

Representative Sprenkle appeared at the bar of the House.

HOUSE BILL NO. 1183, by Representatives Ludwig, Wynne, Orr and Rasmussen

Changing provisions relating to negligent driving.

The bill was read the second time. On motion of Mr. Appelwick, Substitute House Bill No. 1183 was substituted for House Bill No. 1183, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1183 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ludwig and Padden spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1183, and the bill passed the House by the following vote: Yeas - 96, Nays - 1, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Belcher - 01.

Absent: Representative Wang - 01.

Substitute House Bill No. 1183, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1191, by Representatives Ogden, Jacobsen, Roland, Prentice, Wood, Edmondson, Fraser, Franklin, H. Myers, Ferguson, Winsley, D. Sommers, Paris, Bowman, Forner, Rayburn, Dellwo, Jones, Wynne, R. Johnson, Riley, Scott, Moyer, Phillips, Brekke, Basich, Spanel, Mitchell, Leonard and Anderson

Providing assistance to single parents in higher education.

The bill was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ogden and Wood spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1191, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen,

Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Wang - 01.

House Bill No. 1191, having received the constitutional majority, was declared passed.

The Speaker (Mr. R. Meyers presiding) declared the House to be at ease.  
The Speaker (Mr. R. Meyers presiding) called the House to order.

### MOTION

On motion of Ms. Bowman, Representative Lisk was excused.

Representative Wang appeared at the bar of the House.

HOUSE BILL NO. 1205, by Representatives Belcher, Beck, Scott, Broback, Hargrove, H. Sommers, Bowman, Silver, H. Myers, R. Meyers, Winsley, Edmondson, Wynne and Basich; by request of Department of Natural Resources

Clarifying forest fire fighting duties.

The bill was read the second time. On motion of Ms. Belcher, Substitute House Bill No. 1205 was substituted for House Bill No. 1205, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1205 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Belcher spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1205, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel,

Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Lisk - 01.

Substitute House Bill No. 1205, having received the constitutional majority, was declared passed.

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

### THIRD READING

HOUSE BILL NO. 1818, by Representatives Locke, Prince, H. Sommers, Ferguson, Betrozoff and Wineberry; by request of State Convention and Trade Center and Office of Financial Management

Changing project completion costs for the state convention and trade center.

The bill was read the third time and placed on final passage.

Representatives Locke, Ferguson and Heavey spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1818, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Lisk - 01.

House Bill No. 1818, having received the constitutional majority, was declared passed.

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

## SECOND READING

HOUSE BILL NO. 1244, by Representatives Heavey, Cole, R. King, Winsley, Jones, Prentice, O'Brien, R. Meyers, Ebersole and Rasmussen

Requiring a study by the legislative budget committee of employer avoidance of industrial insurance premiums and unemployment compensation contributions.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 37th Day, February 19, 1991.)

Mr. Heavey moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Heavey and Fuhrman spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1244, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Lisk - 01.

Engrossed House Bill No. 1244, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1262, by Representatives Zellinsky, Lisk, R. Meyers, Van Luven, Ferguson, Prentice, Chandler, Orr, Bowman, Prince, Day, Cooper, R. Fisher, Betrozoff, Cantwell, Forner, Paris, Wilson, P. Johnson, Fuhrman, Winsley, Hochstatter, Nealey, Wynne, D. Sommers, Broback, Wood, Morton, Horn, Mielke, Brough, Miller, Jacobsen and Silver

Lessening emergency service tow truck restrictions.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Zellinsky and Betrozoff spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1262, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Lisk - 01.

House Bill No. 1262, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1317, by Representatives Silver, Morris, Holland, Fraser, Mielke, Spanel, Edmondson, Lisk, Morton, Paris, Hochstatter, Nealey, Wynne, Cooper, Bowman, D. Sommers, Miller, Ballard and Mitchell

Clarifying the tax exemption for medically prescribed oxygen.

The bill was read the second time. On motion of Ms. Fraser, Substitute House Bill No. 1317 was substituted for House Bill No. 1317, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1317 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Silver and Fraser spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1317, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Berozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Loven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Lisk - 01.

Substitute House Bill No. 1317, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1326, by Representatives Franklin, Mitchell, Day, Prentice, Paris, Moyer, Winsley, Cole, Zellinsky, Bray, Ferguson, Edmondson, Wood, Wynne, Lisk, Wineberry, Heavey, Jones, Vance, Tate and Nelson

Regulating drayage and storage of tenants' property by landlords.

The bill was read the second time. On motion of Mr. Nelson, Substitute House Bill No. 1326 was substituted for House Bill No. 1326, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1326 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Franklin and Mitchell spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1326, and the bill passed the House by the following vote: Yeas - 96, Nays - 1, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Berozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden,

Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Fisher, G. - 01.

Excused: Representative Lisk - 01.

Substitute House Bill No. 1326, having received the constitutional majority, was declared passed.

### MOTION

Mr. Dorn moved that the House defer consideration of House Bill No. 1347 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1364, by Representatives Forner, D. Sommers, Winsley, Wynne, Mitchell, Edmondson, P. Johnson, Chandler, Vance, Wood, Moyer, Miller, Brumsickle, Bowman, Horn, Paris, Casada, Ballard, Brough, Tate and Lisk

Providing military leave for public employees and officers called to active duty.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Forner spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1364, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Lisk - 01.

House Bill No. 1364, having received the constitutional majority, was declared passed.

Representative Lisk appeared at the bar of the House.

HOUSE BILL NO. 1440, by Representatives Winsley, Franklin, Ballard, Nelson, Leonard, Ogden, Wineberry and Miller

Regulating mobile homes.

The bill was read the second time. On motion of Mr. Nelson, Substitute House Bill No. 1440 was substituted for House Bill No. 1440, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1440 was read the second time.

Ms. H. Sommers moved adoption of the following amendment by Representatives H. Sommers, Winsley and Anderson:

On page 8, beginning on line 25, strike all of sections 6 and 7

Renumber the remaining sections consecutively and correct internal references accordingly.

Representatives H. Sommers and Winsley spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendment by Representatives H. Sommers, Winsley and Anderson to the title was adopted:

On page 1, line 3 of the title, after "59.21 RCW;" strike "adding new sections to chapter 43.131 RCW;"

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Winsley and Franklin spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1440, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslie, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen,

Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 1440, having received the constitutional majority, was declared passed.

### MOTION

Mr. Dorn moved that the House defer consideration of House Bill No. 1489 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1491, by Representatives R. Johnson, Haugen, Roland, Edmondson, Kremen, Nealey, Rayburn, Lisk, Spanel, Neher, Rasmussen, P. Johnson, Rust, Braddock, Wynne, Scott and Paris

Creating the flood control improvement study commission.

The bill was read the second time. On motion of Mr. Cooper, Substitute House Bill No. 1491 was substituted for House Bill No. 1491, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1491 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Kremen and Wynne spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1491, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1491, having received the constitutional majority, was declared passed.

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

### REPORTS OF STANDING COMMITTEES

March 9, 1991

HB 1025 Prime Sponsor, Representative Cantwell: Establishing growth management strategies. Reported by Committee on Appropriations

MAJORITY recommendation: That Substitute House Bill No. 1025 be substituted therefor, and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Belcher; Braddock; Brekke; Dorn; Ebersole; Hine; May; Peery; Pruitt; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Bowman; Fuhrman; Lisk; McLean; Mielke; and Nealey.

Voting nay: Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Bowman; Braddock; Fuhrman; McLean; Mielke; and Nealey.

Absent: Representatives Holland and Lisk.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1026 Prime Sponsor, Representative Wang: Providing property tax relief for certain homeowners. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1026 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; and Silver.

Absent: Representative Van Luven.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1027 Prime Sponsor, Representative Rust: Adopting oil and hazardous substance spill prevention and response provisions. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill by Committee on Environmental Affairs be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Revenue:

Strike everything after the enacting clause and insert the following:

"PART I

GENERAL PROVISIONS"

Sec. 101. 1990 c 116 s 1 (uncodified) is amended to read as follows:

(1) The legislature ((finds)) declares that the increasing reliance on water borne transportation as a source of supply for oil and hazardous substances poses special concern for the state of Washington. Each year billions of gallons of crude oil and refined petroleum products and millions of pounds of hazardous substances are transported by vessel on the navigable waters of the state. These shipments are expected to increase in the coming years. Vessels transporting oil and hazardous substances into Washington travel on some of the most unique and special marine environments in the United States. These marine environments are a source of natural beauty, recreation, and economic livelihood for many residents of this state. As a result, the state has an obligation to assure the citizens of the state that the waters of the state ((used for water borne transportation)) will be protected from oil and hazardous substance spills. ((The legislature declares that this act is the first step in developing a comprehensive approach to protecting this important and unique resource by developing a set of procedures to respond to spills of oil and hazardous substances into the state's waters.))

(2) The legislature ((also)) finds that prevention is the best method to protect the unique and special marine environments in this state. The technology for containing and cleaning up a spill of oil or hazardous substances is in the early stages of development. Preventing spills is more protective of the environment and more cost-effective when all the costs associated with responding to a spill are considered. ((The legislature declares that it will continue to develop this first step in a comprehensive approach to protecting our unique and special marine environment by adopting measures in future sessions of the legislature to reduce the likelihood that a spill of oil or hazardous substances will occur.))

(3) The legislature also finds that:

(a) Recent accidents in Washington, Alaska, southern California, Texas, and other parts of the nation have shown that the transportation, transfer, and storage of oil and hazardous substances have caused significant damage to the marine environment;

(b) Even with the best efforts, it is nearly impossible to remove all oil or hazardous substances that are spilled into the water;

(c) Washington's navigable waters are treasured environmental and economic resources that the state cannot afford to place at undue risk from an oil or hazardous substance spill; and

(d) The state has a fundamental responsibility, as the trustee of the state's natural resources and the protector of public health and the environment to prevent the spill of oil and hazardous substances.

(4) In order to establish a comprehensive prevention and response program to protect Washington's waters and natural resources from spills of oil, it is the purpose of this chapter:

(a) To establish state agency expertise in marine safety and to centralize state activities in spill prevention and response activities;

(b) To prevent spills of oil and to promote programs that reduce the risk of both catastrophic and small chronic spills;

(c) To ensure that responsible parties are liable, and have the resources and ability, to respond to spills and provide compensation for all costs and damages;

(d) To provide for state spill response and wildlife rescue planning and implementation;

(e) To support and complement the federal oil pollution act of 1990 and other federal law, especially those provisions relating to the national contingency plan for cleanup of oil and hazardous substance spills and discharges, including provisions relating to the responsibilities of state agencies designated as natural resource trustees. The

legislature intends this chapter to be interpreted and implemented in a manner consistent with federal law;

(f) To provide broad powers of regulation to the department of ecology relating to spill prevention and response;

(g) To provide for an independent oversight board to review the adequacy of spill prevention and response activities in this state; and

(h) To provide an adequate funding source for state response and prevention programs.

Sec. 102. RCW 90.48.315 and 1990 c 116 s 2 are each amended to read as follows:

For purposes of ~~((RCW 90.48.315 through 90.48.410, 78.52.020, 78.52.125, 82.36.330, 90.48.903, 90.48.906, and 90.48.907))~~ this chapter, the following definitions shall apply unless the context indicates otherwise:

(1) "Administrator" means the administrator of the office of marine safety created in section 402 of this 1991 act.

(2) "Best achievable protection" means the highest level of protection that can be achieved through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable. The director's determination of best achievable protection shall be guided by the critical need to protect the state's natural resources and waters, while considering (a) the additional protection provided by the measures; (b) the technological achievability of the measures; and (c) the cost of the measures. It is not the intent of the legislature that the director use a cost-benefit or cost-effectiveness analysis or any particular method of analysis in determining which measures to require.

(3) "Best achievable technology" means the technology that provides the greatest degree of protection taking into consideration (a) processes that are being developed, or could feasibly be developed, given overall reasonable expenditures on research and development, and (b) processes that are currently in use. In determining what is best achievable technology, the director shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.

(4) "Board" ~~((shall))~~ means the pollution control hearings board.

~~((2))~~ (5) "Cargo vessel" means a ship in commerce, other than a tank vessel or a passenger vessel, of three hundred gross tons or more, including but not limited to, commercial fish processing vessels and freighters.

~~((3))~~ (6) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(7) "Committee" ~~((shall))~~ means the preassessment screening committee established under RCW 90.48.368.

~~((4))~~ (8) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

~~((5))~~ (9) "Department" ~~((shall))~~ means the department of ecology.

~~((6))~~ (10) "Director" ~~((shall))~~ means the director of the department of ecology.

~~((7))~~ (11) "Discharge" ~~((shall))~~ means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

~~((8))~~ (12)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel, ~~((located on or near the navigable waters of the state that receives oil in bulk from a tank vessel,))~~ that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk ~~((, and is capable of storing ten thousand or more gallons of oil)).~~

(b) A facility does not include any: (i) Railroad car, motor vehicle, or other rolling stock ~~((used to transport))~~ while transporting oil over the highways or rail lines of this state; (ii) underground storage tank regulated by the department or a local government under chapter 90.76 RCW; (iii) a motor vehicle motor fuel outlet; or (iv) a facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330.

((9)) (13) "Fund" ((shall)) means the state coastal protection fund as provided in RCW 90.48.390 and 90.48.400 as recodified by this 1991 act.

((10)) (14) "Having control over oil" shall include but not be limited to any person using, storing, or transporting oil immediately prior to entry of such oil into the waters of the state, and shall specifically include carriers and bailees of such oil.

((11) "~~Maximum probable spill~~" means the maximum probable spill for a vessel operating in state waters considering the history of spills of vessels of the same class operating on the west coast of the United States, Alaska, and British Columbia.

((12)) (15) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

((13)) (16) "Necessary expenses" means the expenses incurred by the department and assisting state agencies for (a) investigating the source of the discharge; (b) investigating the extent of the environmental damage caused by the discharge; (c) conducting actions necessary to clean up the discharge; (d) conducting predamage and damage assessment studies; and (e) enforcing the provisions of this chapter and collecting for damages caused by a discharge.

((14)) (17) "Oil" or "oils" ((shall)) means ((oil)) naturally occurring liquid hydrocarbons at atmospheric temperature and pressure coming from the earth, including condensate and natural gasoline, and any fractionation thereof, including ((gasoline)), but not limited to, crude oil, petroleum, gasoline, fuel oil, diesel oil, ((lubricating oil,)) oil sludge, oil refuse, ((liquid natural gas, propane, butane, oils distilled from coal, and other liquid hydrocarbons regardless of specific gravity, or any other petroleum related product)) and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section 101(14) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

((15)) (18) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land.

(19) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(20)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by devise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(21) "Passenger vessel" means a ship of three hundred or more gross tons carrying passengers for compensation.

((16)) (22) "Person" ((shall)) means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever ~~((and any owner, operator, master, officer, or employee of a ship)).~~

((17)) (23) "Ship" ((shall)) means any boat, ship, vessel, barge, or other floating craft of any kind.

((18)) (24) "Spill" means ~~((a))~~ an unauthorized discharge of oil or hazardous substances into the waters of the state.

~~((19))~~ (25) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

~~((20))~~ (26) "Technical feasibility" or "technically feasible" shall mean that given available technology, a restoration or enhancement project can be successfully completed at a cost that is not disproportionate to the value of the resource prior to the injury.

~~((21))~~ (27) "Waters of the state" ~~((shall))~~ includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

~~((22))~~ (28) "Worst case spill" means: (a) In the case of a vessel, a spill of the entire cargo and fuel of ((a-tank)) the vessel complicated by adverse weather conditions; and (b) in the case of an onshore or offshore facility, the largest foreseeable spill in adverse weather conditions.

NEW SECTION. Sec. 103. DIRECTOR RESPONSIBLE FOR SPILL RESPONSE.

Except as otherwise specifically provided in this chapter or other law, the director has the primary authority, in conformance with the state-wide master oil and hazardous substance spill prevention and contingency plan adopted pursuant to RCW 90.48.378 as recodified by this act and any applicable contingency plans prepared pursuant to this chapter and chapter 88.-- RCW (sections 413 through 424 of this act), to oversee prevention, abatement, response, containment, and cleanup efforts with regard to any oil or hazardous substance spill in the navigable waters of the state. The director is the head of the state incident command system in response to a spill of oil or hazardous substances and shall coordinate the response efforts of all state agencies and local emergency response personnel. If a discharge of oil or hazardous substances is subject to the national contingency plan, in responding to the discharge, the director shall to the greatest extent practicable act in accordance with the national contingency plan and cooperate with the federal on-scene coordinator or other federal agency or official exercising authority under the national contingency plan.

Sec. 104. RCW 90.48.370 and 1971 ex.s. c 180 s 2 are each amended to read as follows:

The powers, duties, and functions conferred by ~~((RCW 78.52.020, 78.52.125, 82.36.330, 90.48.315, 90.48.370 through 90.48.410, 90.48.903, 90.48.906 and 90.48.907))~~ this chapter shall be exercised by the department of ecology and shall be deemed an essential government function in the exercise of the police power of the state. Such powers, duties, and functions of the department ~~((and those conferred by RCW 90.48.315 through 90.48.365))~~ shall extend to all waters ~~((within the boundaries))~~ under the jurisdiction of the state.

Sec. 105. RCW 90.48.365 and 1987 c 109 s 153 are each amended to read as follows:

~~((RCW 90.48.315 through 90.48.365 shall))~~ This chapter grants authority to the department which is supplemental to and in no way reduces or otherwise modifies the powers ((heretofore)) granted to the department((, except as it may directly conflict therewith)) by other statutes.

Sec. 106. RCW 90.48.380 and 1971 ex.s. c 180 s 3 are each amended to read as follows:

The department may adopt rules ~~((and regulations))~~ including but not limited to the following matters:

(1) Procedures and methods of reporting discharges and other occurrences prohibited by ~~((RCW 90.48.315 through 90.48.365 and RCW 78.52.020, 78.52.125, 82.36.330, 90.48.315, 90.48.370 through 90.48.410, 90.48.903, 90.48.906 and 90.48.907))~~ this chapter;

(2) Procedures, methods, means, and equipment to be used by persons subject to regulation by ~~((RCW 90.48.315 through 90.48.365 and RCW 78.52.020, 78.52.125, 82.36.330, 90.48.315, 90.48.370 through 90.48.410, 90.48.903, 90.48.906 and 90.48.907))~~ this chapter and such rules ~~((and regulations))~~ may prescribe the times, places, and methods of transfer of oil;

(3) Coordination of procedures, methods, means, and equipment to be used in the removal of oil ~~((pollutants))~~;

(4) Development and implementation of criteria and plans to meet oil ~~((pollution occurrences))~~ spills of various kinds and degrees;

(5) The establishment ~~((from time to time of control districts comprising sections of the state coast and the establishment of rules and regulations to meet the particular requirements of each such district;~~

~~(6))~~ of standards for spill response equipment to be maintained on tank vessels;

(6) When and under what circumstances, if any, chemical agents, such as coagulants, dispersants, and bioremediation, may be used in response to an oil spill;

(7) The disposal of oil recovered from a spill; and

(8) Such other rules and regulations as the exigencies of any condition may require or such as may be reasonably necessary to carry out the intent of ((RCW 90.48.315 through 90.48.365 and RCW 78.52.020, 78.52.125, 82.36.330, 90.48.315, 90.48.370 through 90.48.410, 90.48.903, 90.48.906 and 90.48.907)) this chapter.

Sec. 107. RCW 90.48.378 and 1990 c 116 s 10 are each amended to read as follows:

(1) ~~((Not later than July 1, 1991.))~~ The department shall prepare and ((thereafter)) annually update a state-wide master oil and hazardous substance spill prevention and contingency plan. In preparing the plan, the department shall consult with an advisory committee representing diverse interests concerned with oil and hazardous substance spills, including the office of marine safety, the United States coast guard, the federal environmental protection agency, state agencies, local governments, port districts, private facilities, environmental organizations, oil companies, shipping companies, containment and cleanup contractors, tow companies, and hazardous substance manufacturers.

(2) The state master plan prepared under this section shall at a minimum:

(a) Take into consideration the elements of oil spill prevention and contingency plans approved or submitted for approval pursuant to ~~((RCW 90.48.371))~~ this chapter and chapter 88.-- RCW (sections 413 through 424 of this act) and oil and hazardous substance spill contingency plans prepared pursuant to other state or federal law or prepared by federal agencies and regional entities;

(b) State the respective responsibilities as established by relevant statutes and rules of each of the following in the prevention of and the assessment, containment, and cleanup of a ~~((catastrophic oil))~~ worst case spill ((or of a significant spill)) of ~~((a))~~ oil or hazardous substances into the environment of the state: (i) State agencies; (ii) local governments; (iii) appropriate federal agencies; (iv) facility operators; (v) property owners whose land or other property may be affected by the oil or hazardous substance spill; and (vi) other parties identified by the department as having an interest in or the resources to assist in the containment and cleanup of an oil or hazardous substance spill;

(c) State the respective responsibilities of the parties identified in (b) of this subsection in an emergency response;

(d) Identify actions necessary to reduce the likelihood of ~~((catastrophic oil))~~ spills ((and significant spills)) of oil and hazardous substances; ((and))

(e) Identify and obtain mapping of environmentally sensitive areas at particular risk to oil and hazardous substance spills; and

(f) Establish an incident command system for responding to oil and hazardous substance spills.

(3) In preparing and updating the state master plan, the department shall:

- (a) Consult with federal, provincial, municipal, and community officials, other state agencies, the state of Oregon, and with representatives of affected regional organizations;
- (b) Submit the draft plan to the public for review and comment;
- (c) Submit to the appropriate standing committees of the legislature for review, not later than November 1 of each year, the plan and any annual revision of the plan; and
- (d) Require or schedule unannounced oil spill drills as required by RCW 90.48.374 as recodified by this 1991 act to test the sufficiency of oil spill contingency plans approved under RCW 90.48.371 as recodified by this 1991 act.

NEW SECTION. Sec. 108. COORDINATION WITH FEDERAL LAW. In carrying out the purposes of this chapter, including the adoption of rules for contingency plans, the department shall to the greatest extent practicable implement this chapter in a manner consistent with federal law.

NEW SECTION. Sec. 109. HAZARDOUS SUBSTANCES INCIDENT RESPONSE TRAINING AND EDUCATION PROGRAM. Not later than twelve months after the effective date of this section, the division of emergency management shall establish and manage the Washington oil and hazardous substances incident response training and education program to provide approved classes in hazardous substance response, taught by trained instructors, and to certify students who have completed these classes. To carry out this program, the division of emergency management shall:

- (1) Adopt rules necessary to implement the program;
- (2) Establish a training and education program by developing the curriculum to be used in the program in colleges, academies, and other educational institutions;
- (3) Certify students who have successfully completed a class approved as meeting the requirements of the program;
- (4) Provide training to local oil and hazardous materials emergency response personnel; and
- (5) Establish and collect admission fees and other fees that may be necessary to the program.

NEW SECTION. Sec. 110. SMALL SPILL PREVENTION EDUCATION PROGRAM. (1) The Washington sea grant program, in consultation with the department, shall develop and conduct a voluntary spill prevention education program that targets small spills from commercial fishing vessels, ferries, cruise ships, ports, and marinas. Washington sea grant shall coordinate the spill prevention education program with recreational boater education performed by the state parks and recreation commission.

(2) The spill prevention education program shall illustrate ways to reduce oil contamination of bilge water, accidental spills of hydraulic fluid and other hazardous substances during routine maintenance, and reduce spillage during refueling. The program shall illustrate proper disposal of oil and hazardous substances and promote strategies to meet shoreside oil and hazardous substance handling, and disposal needs of the targeted groups. The program shall include a series of training workshops and the development of educational materials.

## "PART II

### FACILITY AND VESSEL PLANS"

NEW SECTION. Sec. 201. PREVENTION PLANS.(1) The owner or operator for each onshore and offshore facility shall prepare and submit to the department an oil spill prevention plan in conformance with the requirements of this chapter. The plans shall be submitted to the department in the time and manner directed by the department, but not later than January 1, 1993. The spill prevention plan may be consolidated with a spill contingency plan submitted pursuant to RCW 90.48.371 as recodified by this act. The department may accept plans prepared to comply with other state or federal law as spill prevention plans to the extent those plans comply with the requirements of this chapter. The department, by rule, shall establish standards for spill prevention plans. The rules shall be adopted not later than July 1, 1992.

(2) The spill prevention plan for an onshore or offshore facility shall:

(a) Establish compliance with the federal oil pollution act of 1990, if applicable, and financial responsibility requirements under federal and state law;

(b) Certify that supervisory and other key personnel in charge of transfer, storage, and handling of oil have received certification pursuant to section 203 of this act;

(c) Certify that the facility has an operations manual required by section 204 of this act;

(d) Certify the implementation of alcohol and drug use awareness programs;

(e) Describe the facility's maintenance and inspection program and contain a current maintenance and inspection record of the storage and transfer facilities and related equipment;

(f) Describe the facility's alcohol and drug treatment programs;

(g) Describe spill prevention technology that has been installed, including overflow alarms, automatic overflow cut-off switches, secondary containment facilities, and storm water retention, treatment, and discharge systems;

(h) Describe any discharges of oil to the land or the water of more than twenty-five barrels in the prior five years and the measures taken to prevent a recurrence;

(i) Describe spill prevention technologies that are commercially available but have not been installed and the reasons for the decision;

(j) Describe the procedures followed by the facility to contain and recover any oil that spills during the transfer of oil to or from the facility;

(k) Provide for the incorporation into the facility during the period covered by the plan of those measures that will provide the best achievable protection for the public health and the environment; and

(l) Include any other information reasonably necessary to carry out the purposes of this chapter required by rules adopted by the department.

(3) The department shall only approve a prevention plan if it provides the best achievable protection from damages caused by the discharge of oil into the waters of the state and if it determines that the plan meets the requirements of this section and rules adopted by the department.

(4) Upon approval of a prevention plan, the department shall provide to the person submitting the plan a statement indicating that the plan has been approved, the facilities covered by the plan, and other information the department determines should be included.

(5) The approval of a prevention plan shall be valid for five years. An owner or operator of a facility shall notify the department in writing immediately of any significant change of which it is aware affecting its prevention plan, including changes in any factor set forth in this section or in rules adopted by the department. The department may require the owner or operator to update a prevention plan as a result of these changes.

(6) The department by rule shall require prevention plans to be reviewed, updated, if necessary, and resubmitted to the department at least once every five years.

(7) Approval of a prevention plan by the department does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under this chapter or other state law.

(8) This section does not authorize the department to modify the terms of a collective bargaining agreement.

Sec. 202. RCW 90.48.371 and 1990 c 116 s 3 are each amended to read as follows:

(1) Each onshore and offshore facility (~~and covered vessel~~) shall have a contingency plan for the containment and cleanup of oil spills from the facility (~~or covered vessel~~) into the waters of the state and for the protection of fisheries and wildlife, natural resources, and public and private property from such spills. The department shall by rule adopt and periodically revise standards for the preparation of contingency plans. (~~The rules for facilities and, except as otherwise provided in this subsection, for covered vessels shall be adopted not later than July 1, 1991. The~~

department shall exclude from the rules to be adopted by July 1, 1991, standards for tank vessels of less than twenty thousand dead weight tons, cargo vessels, and passenger vessels operating on the portion of the Columbia river for which the department determines that Washington and Oregon should cooperate in the adoption of standards for contingency plans. The department, after consultation with the appropriate state agencies in Oregon, shall adopt the rules for standards for contingency plans for this portion of the Columbia river at the earliest possible time, but not later than July 1, 1992.) The department shall require contingency plans, at a minimum, to meet the following standards:

(a) Include full details of the method of response to spills of various sizes from any ((vessel, ship, or)) facility which is covered by the plan;

(b) Be designed to be capable in terms of personnel, materials, and equipment, of promptly and properly, to the maximum extent practicable, as defined by the department(;

~~(i) Removing oil and minimizing any damage to the environment resulting from a maximum probable spill; and~~

~~((ii)) removing oil and minimizing any damage to the environment resulting from a worst case spill;~~

(c) Provide a clear, precise, and detailed description of how the plan relates to and is integrated into relevant contingency plans which have been prepared by cooperatives, ports, regional entities, the state, and the federal government;

(d) Provide procedures for early detection of oil spills and timely notification of such spills to appropriate federal, state, and local authorities under applicable state and federal law;

(e) State the number, training preparedness, and fitness of all dedicated, prepositioned personnel assigned to direct and implement the plan;

(f) Incorporate periodic training and drill programs to evaluate whether personnel and equipment provided under the plan are in a state of operational readiness at all times;

(g) Describe important features of the surrounding environment, including fish and wildlife habitat, environmentally sensitive areas, and public facilities. The departments of ecology, fisheries, wildlife, and natural resources, upon request, shall provide information that they have available to assist in preparing this description;

(h) State the means of protecting and mitigating effects on the environment, including fish, marine mammals, and other wildlife, and ensure that implementation of the plan does not pose unacceptable risks to the public or the environment;

~~((h) Provide a detailed description of equipment and procedures to be used by the crew of a vessel to minimize vessel damage, stop or reduce any spilling from the vessel, and, only when appropriate and the vessel/safety is assured, contain and clean up the spilled oil;))~~

(i) Provide arrangements for the repositioning of oil spill containment and cleanup equipment and trained personnel at strategic locations from which they can be deployed to the spill site to promptly and properly remove the spilled oil;

(j) Provide arrangements for enlisting the use of qualified and trained cleanup personnel to implement the plan;

(k) Provide for disposal of recovered spilled oil in accordance with local, state, and federal laws;

(l) Until a spill prevention plan has been submitted pursuant to section 201 of this 1991 act, state the measures that have been taken to reduce the likelihood that a spill will occur, including but not limited to, design and operation of a ((vessel or)) facility, training of personnel, number of personnel, and backup systems designed to prevent a spill;

(m) State the amount and type of equipment available to respond to a spill, where the equipment is located, and the extent to which other contingency plans rely on the same equipment; and

(n) If the department has adopted rules permitting the use of dispersants, the circumstances, if any, and the manner for the application of the dispersants in conformance with the department's rules.

~~(2)(a) ((Contingency plans for facilities capable of storing one million gallons or more of oil and for tank vessels of twenty thousand deadweight tons or more shall be submitted to the department))~~ The following shall submit contingency plans to the department within six months after the department adopts rules establishing standards for contingency plans under subsection (1) of this section:

(i) Onshore facilities capable of storing one million gallons or more of oil;

(ii) Onshore facilities capable of storing or handling hazardous substances in bulk in quantities determined by the department to pose a significant risk of harm to the public health or the environment; and

(iii) Offshore facilities.

~~(b) ((Except as otherwise provided in (c) of this subsection,))~~ Contingency plans for all other facilities ~~((and covered vessels))~~ shall be submitted to the department within eighteen months after the department has adopted rules under subsection (1) of this section. The department may adopt a schedule for submission of plans within the eighteen-month period.

~~((c) Contingency plans for covered vessels which are not required to submit plans within the six month period prescribed in (a) of this subsection and which operate on the portion of the Columbia river for which the department must adopt rules not later than July 1, 1992, shall be submitted to the department not later than January 1, 1993.))~~

(3)(a) The owner or operator of a facility shall submit the contingency plan for the facility.

~~(b) ((The owner or operator of a tank vessel or of the facilities at which the vessel will be unloading its cargo shall submit the contingency plan for the tank vessel. Subject to conditions imposed by the department, the owner or operator of a facility may submit a single contingency plan for tank vessels of a particular class that will be unloading cargo at the facility.~~

~~(c) The contingency plan for a cargo vessel or passenger vessel may be submitted by the owner or operator of the cargo vessel or passenger vessel or by the agent for the vessel resident in this state. Subject to conditions imposed by the department, the owner, operator, or agent may submit a single contingency plan for cargo vessels or passenger vessels of a particular class.~~

~~(d)) A person who has contracted with a facility ((or covered vessel)) to provide containment and cleanup services and who meets the standards established pursuant to RCW 90.48.372 as recodified by this 1991 act, may submit the plan for any facility ((or covered vessel)) for which the person is contractually obligated to provide services. Subject to conditions imposed by the department, the person may submit a single plan for more than one facility ((or covered vessel)).~~

(4) A contingency plan prepared for an agency of the federal government or another state that satisfies the requirements of this section and rules adopted by the department may be accepted by the department as a contingency plan under this section. The department shall assure that to the greatest extent possible, requirements for contingency plans under this section are consistent with the requirements for contingency plans under federal law.

(5) In reviewing the contingency plans required by this section, the department shall consider at least the following factors:

(a) The adequacy of containment and cleanup equipment, personnel, communications equipment, notification procedures and call down lists, response time, and logistical arrangements for coordination and implementation of response efforts to remove oil ~~((and hazardous substance))~~ spills promptly and properly and to protect the environment;

- (b) The nature and amount of vessel traffic within the area covered by the plan;
- (c) The volume and type of oil (~~(or hazardous substances)~~) being transported within the area covered by the plan;
- (d) The existence of navigational hazards within the area covered by the plan;
- (e) The history and circumstances surrounding prior spills of oil and hazardous substances within the area covered by the plan;
- (f) The sensitivity of fisheries and wildlife and other natural resources within the area covered by the plan;
- (g) Relevant information on previous spills contained in on-scene coordinator reports prepared by the department; and
- (h) The extent to which reasonable, cost-effective measures to prevent a likelihood that a spill will occur have been incorporated into the plan.

(6) The department shall approve a contingency plan only if it determines that the plan meets the requirements of this section and that, if implemented, the plan is capable, in terms of personnel, materials, and equipment, of removing oil (~~(or hazardous substances)~~) promptly and properly and minimizing any damage to the environment.

(7) The approval of the contingency plan shall be valid for five years. Upon approval of a contingency plan, the department shall provide to the person submitting the plan a statement indicating that the plan has been approved, the facilities or vessels covered by the plan, and other information the department determines should be included.

(8) An owner or operator of a (~~(vessel, ship, or)~~) facility shall notify the department in writing immediately of any significant change of which it is aware affecting its contingency plan, including changes in any factor set forth in this section or in rules adopted by the department. The department may require the owner or operator to update a contingency plan as a result of these changes.

(9) The department by rule shall require contingency plans to be reviewed, updated, if necessary, and resubmitted to the department at least once every five years.

(10) Approval of a contingency plan by the department does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under this chapter or other state law.

NEW SECTION. Sec. 203. FACILITY OPERATION STANDARDS. (1) The department by rule shall adopt standards for onshore and offshore facilities regarding the equipment and operation of the facilities with respect to the transfer, storage, and handling of oil to ensure that the best achievable protection of the public health and the environment is employed at all times. The department shall implement a program to provide for the inspection of all onshore and offshore facilities on a regular schedule to ensure that each facility is in compliance with the standards.

(2) The department shall adopt rules for certification of supervisory and other key personnel in charge of the transfer, storage, and handling of oil at onshore and offshore facilities. The rules shall include, but are not limited to:

(a) Minimum training requirements for all facility workers involved in the transfer, storage, and handling of oil at a facility;

(b) Provisions for periodic renewal of certificates for supervisory and other key personnel involved in the transfer, storage, and handling of oil at the facility; and

(c) Continuing education requirements.

(3) The rules adopted by the department shall not conflict with or modify standards imposed pursuant to federal or state laws regulating worker safety.

NEW SECTION. Sec. 204. OPERATIONS MANUALS. (1) Each owner or operator of an onshore or offshore facility shall prepare an operations manual describing equipment and procedures involving the transfer, storage, and handling of oil that the operator employs or will employ for best achievable protection for the public health and the environment and to prevent oil spills in the navigable waters. The operations manual shall also describe equipment and procedures required for all vessels to or from which oil

is transferred through use of the facility. The operations manual shall be submitted to the department for approval.

(2) Every existing onshore and offshore facility shall prepare and submit to the department its operations manual within one year after the department has adopted rules governing the content of the manual.

(3) The department shall approve an operations manual for an onshore or offshore facility if the manual complies with the rules adopted by the department. If the department determines a manual does not comply with the rules, it shall provide written reasons for the decision. The owner or operator shall resubmit the manual within ninety days of notification of the reasons for noncompliance, responding to the reasons and incorporating any suggested modifications.

(4) The approval of an operations manual shall be valid for five years. The owner or operator of the facility shall notify the department in writing immediately of any significant change in its operations affecting its operations manual. The department may require the owner or operator to modify its operations manual as a result of these changes.

(5) All equipment and operations of an operator's onshore or offshore facility shall be maintained and carried out in accordance with the facility's operations manual. The owner or operator of the facility shall ensure that all ships docked at an onshore or offshore facility comply with the terms of the operations manual for the facility.

Sec. 205. RCW 90.48.373 and 1990 c 116 s 5 are each amended to read as follows:

The department shall annually publish an index of available, up-to-date descriptions of prevention plans and contingency plans for oil spills submitted and approved pursuant to section 201 of this 1991 act, RCW 90.48.371 as recodified by this 1991 act, and sections 416 and 417 of this 1991 act and an inventory of equipment available for responding to such spills.

Sec. 206. RCW 90.48.375 and 1990 c 116 s 7 are each amended to read as follows:

(1) The provisions of contingency plans approved by the department under RCW 90.48.371 as recodified by this 1991 act and prevention plans approved by the department pursuant to section 201 of this 1991 act shall be legally binding on those persons submitting them to the department and on their successors, assigns, agents, and employees. The superior court shall have jurisdiction to restrain a violation of, compel specific performance of, or otherwise to enforce such plans upon application by the department. The department may issue an order pursuant to chapter 34.05 RCW requiring compliance with a contingency plan or a prevention plan and may impose administrative penalties under RCW 43.21B.300 for failure to comply with a plan. An order under this section is not subject to review by the pollution control hearings board as provided in RCW 43.21B.110.

(2)(a) Any person responsible or potentially responsible for a discharge, all of the agents and employees of that person, the operators of all vessels docked at an onshore or offshore facility that is a source of a discharge, and all state and local agencies shall carry out response and cleanup operations in accordance with applicable contingency plans, unless directed otherwise by the director or the coast guard. Except as provided in (b) of this subsection, the responsible party, potentially responsible parties, their agents and employees, the operators of all vessels docked at an onshore or offshore facility that is the source of the discharge, and all state and local agencies shall carry out whatever direction is given by the administrator in connection with the response, containment, and cleanup of the spill, if the directions are not in direct conflict with the directions of the coast guard.

(b) If a responsible party or potentially responsible party reasonably, and in good faith, believes that the directions or orders given by the director pursuant to (a) of this subsection will substantially endanger the public safety or the environment, the party may refuse to act in compliance with the orders or directions of the administrator. The responsible party or potentially responsible party shall state, at the time of the refusal, the

reasons why the party refuses to follow the orders or directions of the director. The responsible party or potentially responsible party shall give the director written notice of the reasons for the refusal within forty-eight hours of refusing to follow the orders or directions of the director. In any civil or criminal proceeding commenced pursuant to this section, the burden of proof shall be on the responsible party or potentially responsible party to demonstrate, by clear and convincing evidence, why the refusal to follow the orders or directions of the director was justified under the circumstances.

"PART III  
ENFORCEMENT"

Sec. 301. RCW 90.48.376 and 1990 c 116 s 8 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, it shall be unlawful for ~~((any person))~~ the owner or operator to knowingly and intentionally operate in this state or on the waters of this state ~~((a))~~ an onshore or offshore facility ~~((or covered vessel))~~ without an approved contingency plan or an approved prevention plan as required by ~~((RCW 90.48.371))~~ this chapter, or financial responsibility in compliance with chapter 88.40 RCW and the federal oil pollution act of 1990. The first conviction under this section shall be a gross misdemeanor under chapter 9A.20 RCW. A second or subsequent conviction shall be a class C felony under chapter 9A.20 RCW.

(2) It shall not be unlawful for ~~((a person))~~ the owner or operator to operate ~~((a))~~ an onshore or offshore facility ~~((or covered vessel))~~ if:

(a) The facility ~~((or covered vessel))~~ is not required to have a contingency plan, spill prevention plan, or financial responsibility; or

(b) ~~((A))~~ All required plans ~~((has))~~ have been submitted to the department as required by RCW 90.48.371 as recodified by this 1991 act and rules adopted by the department and the department is reviewing the plan and has not denied approval ~~((or~~

~~((c) The covered vessel has entered state waters after the United States coast guard has determined that the vessel is in distress)).~~

(3) A ~~((facility))~~ person may rely on a copy of the statement issued by the department pursuant to RCW 90.48.371(7) as recodified by this 1991 act as evidence that ~~((the vessel))~~ a facility has an approved contingency plan and the statement issued pursuant to section 201(5) of this 1991 act that a facility has an approved prevention plan.

Sec. 302. RCW 90.48.377 and 1990 c 116 s 9 are each amended to read as follows:

(1) ~~((Except as provided in subsection (4) of this section, it shall be unlawful for a covered vessel to enter the waters of the state without an approved contingency plan as provided in RCW 90.48.371. The department may deny entry onto the waters of the state to any covered vessel that does not have a contingency plan and is so required.~~

~~((2))~~ Except as provided in subsection ~~((4))~~ (3) of this section, it shall be unlawful:

(a) For ~~((a))~~ the owner or operator to operate an onshore or offshore facility ~~((to operate))~~ without an approved contingency plan as required under RCW 90.48.371 as recodified by this 1991 act, a spill prevention plan required by section 201 of this 1991 act, or financial responsibility in compliance with chapter 88.40 RCW and the federal oil pollution act of 1990; or

(b) For ~~((a))~~ the owner or operator of an onshore or offshore facility or any other person to accept cargo or passengers from a covered vessel that does not have an approved contingency plan or an approved prevention plan required under ~~((RCW 90.48.371))~~ chapter 88.-- RCW (sections 413 through 424 of this 1991 act) or financial responsibility in compliance with chapter 88.40 RCW and the federal oil pollution act of 1990.

~~((3))~~ (2) The department may notify the ~~((department of licensing))~~ secretary of state to suspend the business license of any onshore or offshore facility or other person that is in violation of this section. The department may assess a civil penalty under RCW 43.21B.300 of up to one hundred thousand dollars against any person who is in violation

of this section. Each day that a facility~~((;))~~ or person~~((; or covered vessel))~~ is in violation of this section shall be considered a separate violation.

~~((4))~~ (3) It shall not be unlawful for a ~~((covered vessel to operate on the waters of the state or a))~~ facility or other person to operate or accept cargo or passengers from a covered vessel if:

(a) A contingency plan, a prevention plan, or financial responsibility is not required for the facility ~~((or covered vessel))~~; or

(b) A contingency and prevention plan has been submitted to the department as required by ~~((RCW 90.48.371))~~ this chapter and rules adopted by the department and the department is reviewing the plan and has not denied approval~~((; or~~

~~((c) The covered vessel has entered state waters after the United States coast guard has determined that the vessel is in distress)).~~

~~((5))~~ (4) Any person may rely on a copy of the statement issued by the department pursuant to RCW 90.48.371(7) as recodified by this 1991 act as evidence that the ~~((vessel))~~ facility has an approved contingency plan and the statement issued pursuant to section 201(5) of this 1991 act as evidence that the facility has an approved spill prevention plan.

Sec. 303. RCW 90.48.350 and 1990 c 116 s 20 are each amended to read as follows:

(1) Except as otherwise provided in RCW 90.48.383 as recodified by this 1991 act, any person who, in violation of RCW 90.48.320 as recodified by this 1991 act, negligently discharges oil, or causes or permits the entry of the same into the waters of the state, shall incur, in addition to any other penalty as provided by law, a penalty in an amount of up to ~~((twenty))~~ one hundred thousand dollars for every such violation, and for each day the spill poses risks to the environment as determined by the director.

(2) Any person who intentionally or recklessly discharges or causes or permits the entry of oil into the waters of the state shall incur, in addition to any other penalty authorized by law, a penalty of up to ~~((one))~~ five hundred thousand dollars for every such violation and for each day the spill poses risks to the environment as determined by the director.

(3) The amount of the penalty imposed under this section shall be determined by the director after taking into consideration the gravity of the violation, the previous record of the violator in complying, or failing to comply, with the provisions of this chapter and chapter 90.48 RCW, the speed and thoroughness of the collection and removal of the oil, and such other considerations as the director deems appropriate. Every act of commission or omission which procures, aids or abets in the violation shall be considered a violation under the provisions of this section and subject to the penalty herein provided for. The penalty herein provided for shall be imposed pursuant to RCW 43.21B.300.

Sec. 304. RCW 90.48.325 and 1970 ex.s. c 88 s 3 are each amended to read as follows:

It shall be the obligation of any person owning or having control over oil entering waters of the state in violation of RCW 90.48.320 as recodified by this 1991 act to immediately collect and remove the same. If it is not feasible to collect and remove, said person shall take all practicable actions to contain, treat and disperse the same. The director shall prohibit or restrict the use of any chemicals or other dispersant or treatment materials proposed for use under this section whenever it appears to ~~((him))~~ the director that use thereof would be detrimental to the public interest.

Sec. 305. RCW 90.48.383 and 1990 c 116 s 25 are each amended to read as follows:

(1) The following persons shall not be liable for necessary expenses, removal costs, or ~~((property))~~ damages of any kind, other than personal injury or wrongful death, caused by an act or omission of that person during the ~~((cleanup))~~ response to a spill or

threatened spill of oil (~~spilled~~) into the navigable waters of the state, unless the act or omission was performed in bad faith or with gross negligence:

- (a) The state or any unit of local government;
- (b) A person who volunteers to assist in the cleanup of the spilled oil; and
- (c) A person (~~(meeting the standards of RCW 90.48.372)~~) rendering care, assistance, or advice consistent with the national contingency plan, or as otherwise directed by the federal on-scene coordinator or by the state official with responsibility for oil spill response.

(2) This section shall not affect the liability of any person responsible for the spilled oil or responsible for the facility or covered vessel from which the oil was spilled.

Sec. 306. RCW 90.48.340 and 1987 c 109 s 148 are each amended to read as follows:

The department shall investigate each activity or project conducted under RCW 90.48.330 as recodified by this 1991 act to determine, if possible, the circumstances surrounding the entry of oil into waters of the state and the person or persons allowing said entry or responsible for the act or acts which result in said entry. Whenever it appears to the department, after investigation, that a specific person or persons are responsible for the necessary expenses incurred by the state pertaining to a project or activity as specified in RCW 90.48.335 as recodified by this 1991 act, the department shall notify said person or persons by appropriate order (~~(: PROVIDED, That no order may be issued)~~). The department may not issue an order pertaining to a project or activity which was completed more than five years prior to the date of the proposed issuance of the order. ((Said)) The order shall state the findings of the department, the amount of necessary expenses incurred ((by the department)) in conducting the project or activity, and a notice that said amount is due and payable immediately upon receipt of said order. The department may, upon application from the recipient of an order received within thirty days from the receipt of the order, reduce or set aside in its entirety the amount due and payable, when it appears from the application, and from any further investigation the department may desire to undertake, that a reduction or setting aside is just and fair under all the circumstances. If the amount specified in the order issued by the department notifying said person or persons is not paid within thirty days after receipt of notice imposing the same, or if an application has been made within thirty days as herein provided and the amount provided in the order issued by the department subsequent to such application is not paid within fifteen days after receipt thereof, the attorney general, upon request of the department, shall bring an action on behalf of the state in the superior court of Thurston county or any county in which the person to which the order is directed does business, or in any other court of competent jurisdiction, to recover the amount specified in the final order of the department. No order issued under this section shall be construed as an order within the meaning of RCW 43.21B.310 and shall not be appealable to the hearings board. In any action to recover necessary expenses as herein provided said person shall be relieved from liability for necessary expenses if ((he)) the person can prove that the oil to which the necessary expenses relate entered the waters of the state by causes set forth in RCW ((90.48.320(3))) 90.48.320(2) as recodified by this 1991 act.

#### "PART IV OFFICE OF MARINE SAFETY"

NEW SECTION. Sec. 401. The legislature declares that Washington's waters have irreplaceable value for the citizens of the state. These waters are vital habitat for numerous and diverse marine life and wildlife and the source of recreation, aesthetic pleasure, and pride for Washington's citizens. These waters are also vital for much of Washington's economic vitality.

The legislature finds that the transportation of oil and hazardous substances on these waters creates a great potential hazard to these important natural resources. The

legislature also finds that there is no state agency responsible for maritime safety to ensure this state's interest in preserving these resources.

The legislature therefore finds that in order to protect these waters it is necessary to establish an office of marine safety which will have the responsibility to promote the safety of marine transportation in Washington.

**NEW SECTION.** Sec. 402. (1) There is hereby created an agency of state government to be known as the office of marine safety. The office shall be vested with all powers and duties transferred to it and such other powers and duties as may be authorized by law. The main administrative office of the office shall be located in the city of Olympia. The administrator may establish administrative facilities in other locations, if deemed necessary for the efficient operation of the office, and if consistent with the principles set forth in subsection (2) of this section.

(2) The office of marine safety shall be organized consistent with the goals of providing state government with a focus in marine transportation and serving the people of this state. The legislature recognizes that the administrator needs sufficient organizational flexibility to carry out the office's various duties. To the extent practical, the administrator shall consider the following organizational principles:

(a) Clear lines of authority which avoid functional duplication within and between subelements of the office;

(b) A clear and simplified organizational design promoting accessibility, responsiveness, and accountability to the legislature, the consumer, and the general public; and

(c) Maximum span of control without jeopardizing adequate supervision.

(3) The office shall provide leadership and coordination in identifying and resolving threats to the safety of marine transportation and the impact of marine transportation on the environment:

(a) Working with other state agencies and local governments to strengthen the state and local governmental partnership in providing public protection;

(b) Providing expert advice to the executive and legislative branches of state government;

(c) Providing active and fair enforcement of rules;

(d) Working with other federal, state, and local agencies and facilitating their involvement in planning and implementing marine safety measures;

(e) Providing information to the public; and

(f) Carrying out such other related actions as may be appropriate to this purpose.

(4) In accordance with the administrative procedure act, chapter 34.05 RCW, the office shall ensure an opportunity for consultation, review, and comment before the adoption of standards, guidelines, and rules.

(5) Consistent with the principles set forth in subsection (2) of this section, the administrator may create such administrative divisions, offices, bureaus, and programs within the office as the administrator deems necessary. The administrator shall have complete charge of and supervisory powers over the office, except where the administrator's authority is specifically limited by law.

(6) The administrator shall appoint such personnel as are necessary to carry out the duties of the office in accordance with chapter 41.06 RCW.

**NEW SECTION.** Sec. 403. The executive head and appointing authority of the office shall be the administrator of marine safety. The administrator shall be appointed by, and serve at the pleasure of, the governor in accordance with RCW 43.17.020. The administrator shall be paid a salary to be fixed by the governor in accordance with RCW 43.03.040.

**NEW SECTION.** Sec. 404. In addition to any other powers granted the administrator, the administrator may:

(1) Adopt, in accordance with chapter 34.05 RCW, rules necessary to carry out the provisions of this chapter;

(2) Appoint such advisory committees as may be necessary to carry out the provisions of this chapter. Members of such advisory committees are authorized to receive travel expenses in accordance with RCW 43.03.050 and 43.03.060. The administrator shall review each advisory committee within the jurisdiction of the office and each statutory advisory committee on a biennial basis to determine if such advisory committee is needed. The criteria specified in RCW 43.131.070 shall be used to determine whether or not each advisory committee shall be continued;

(3) Undertake studies, research, and analysis necessary to carry out the provisions of this chapter;

(4) Delegate powers, duties, and functions of the department to employees of the department as the secretary deems necessary to carry out the provisions of this chapter;

(5) Enter into contracts on behalf of the department to carry out the purposes of this chapter;

(6) Act for the state in the initiation of, or the participation in, any intergovernmental program for the purposes of this chapter; or

(7) Accept gifts, grants, or other funds.

NEW SECTION. Sec. 405. The powers and duties of the department of ecology and the director of ecology under chapter 90.48 RCW relating to adoption of rules and approval of contingency plans for vessels and adoption of model tow cable standards for tug boats and barges are hereby transferred to the office of marine safety and the administrator of the office of marine safety.

NEW SECTION. Sec. 406. (1) The administrator shall have full authority to administer oaths and take testimony thereunder, to issue subpoenas requiring the attendance of witnesses before the administrator together with all books, memoranda, papers, and other documents, articles or instruments, and to compel the disclosure by such witnesses of all facts known to them relative to the matters under investigation.

(2) Subpoenas issued in adjudicative proceedings shall be governed by chapter 34.05 RCW.

(3) Subpoenas issued in the conduct of investigations required or authorized by other statutory provisions or necessary in the enforcement of other statutory provisions shall be governed by chapter 34.05 RCW.

NEW SECTION. Sec. 407. All reports, documents, surveys, books, records, files, papers, or written material in the possession of the department of ecology pertaining to the powers, functions, and duties transferred shall be delivered to the custody of the office of marine safety. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the department of ecology in carrying out the powers, functions, and duties transferred shall be made available to the office of marine safety. All funds, credits, or other assets held in connection with the powers, functions, and duties transferred shall be assigned to the office of marine safety.

Any appropriations made to the department of ecology for carrying out the powers, functions, and duties transferred shall, on the effective date of this section, be transferred and credited to the office of marine safety.

Whenever any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

NEW SECTION. Sec. 408. All employees of the department of ecology engaged in performing the powers, functions, and duties transferred are transferred to the jurisdiction of the office of marine safety. All employees classified under chapter 41.06 RCW, the state civil service law, are assigned to the office of marine safety to perform

their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service.

NEW SECTION. Sec. 409. All rules and all pending business before the department of ecology pertaining to the powers, functions, and duties transferred shall be continued and acted upon by the office of marine safety. All existing contracts and obligations shall remain in full force and shall be performed by the office of marine safety.

NEW SECTION. Sec. 410. The transfer of the powers, duties, functions, and personnel of the department of ecology shall not affect the validity of any act performed prior to the effective date of this section.

NEW SECTION. Sec. 411. If apportionments of budgeted funds are required because of the transfers directed by sections 407 through 410 of this act, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

NEW SECTION. Sec. 412. Nothing contained in sections 405 and 407 through 411 of this act may be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until the agreement has expired or until the bargaining unit has been modified by action of the personnel board as provided by law.

NEW SECTION. Sec. 413. DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Administrator" means the administrator of the office of marine safety created in section 402 of this act.

(2) "Best achievable protection" means the highest level of protection that can be achieved through the use of the best achievable technology and those staffing levels, training procedures, and operational methods that provide the greatest degree of protection achievable. The administrator's determination of best achievable protection shall be guided by the critical need to protect the state's natural resources and waters, while considering (a) the additional protection provided by the measures; (b) the technological achievability of the measures; and (c) the cost of the measures. It is not the intent of the legislature that the administrator use a cost-benefit or cost-effectiveness analysis or any particular method of analysis in determining which measures to require.

(3) "Best achievable technology" means the technology that provides the greatest degree of protection taking into consideration (a) processes that are being developed, or could feasibly be developed, given overall reasonable expenditures on research and development, and (b) processes that are currently in use. In determining what is best achievable technology, the administrator shall consider the effectiveness, engineering feasibility, and commercial availability of the technology.

(4) "Cargo vessel" means a ship in commerce, other than a tank vessel or a passenger vessel, of three hundred gross tons or more, including but not limited to, commercial fish processing vessels and freighters.

(5) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(6) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(7) "Department" means the department of ecology.

(8) "Director" means the director of the department of ecology.

(9) "Discharge" means any spilling, leaking, pumping, pouring, emitting, emptying, or dumping.

(10)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) A facility does not include any: (i) Railroad car, motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state; (ii) retail motor vehicle motor fuel outlet; (iii) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; or (iv) underground storage tank regulated by the department or a local government under chapter 90.76 RCW.

(11) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(12) "Office" means the office of marine safety established by section 402 of this act.

(13) "Oil" or "oils" means any naturally occurring liquid hydrocarbons at atmospheric temperature and pressure coming from the earth, including condensate and natural gasoline, and any fractionation thereof, including, but not limited to, crude oil, petroleum, gasoline, fuel oil, diesel oil, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section 101(14) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(14) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land.

(15) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(16)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by devise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(17) "Passenger vessel" means a ship of three hundred or more gross tons carrying passengers for compensation.

(18) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or any other entity whatsoever.

(19) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(20) "Spill" means an unauthorized discharge of oil or hazardous substances into the waters of the state.

(21) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(22) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

(23) "Worst case spill" means: (a) In the case of a vessel, a spill of the entire cargo and fuel of the vessel complicated by adverse weather conditions; and (b) in the case of an onshore or offshore facility, the largest foreseeable spill in adverse weather conditions.

**NEW SECTION.** Sec. 414. **COORDINATION WITH FEDERAL LAW.** In carrying out the purposes of this chapter, including the adoption of rules for contingency plans, the administrator shall to the greatest extent practicable implement this chapter in a manner consistent with federal law.

**NEW SECTION.** Sec. 415. **TANK VESSEL INSPECTIONS.** (1) All tank vessels entering the navigable waters of the state shall be subject to inspection to assure that they comply with all applicable federal and state standards.

(2) The office shall review the tank vessel inspection programs conducted by the United States coast guard and other federal agencies to determine if the programs as actually operated by those agencies provide the best achievable protection to the waters of the state. If the office determines that the tank vessel inspection programs conducted by these agencies are not adequate to protect the state's waters, it shall adopt rules for a state tank vessel inspection program. The office shall adopt rules providing for a random review of individual tank vessel inspections conducted by federal agencies. The office may accept a tank vessel inspection report issued by another state if that state's tank vessel inspection program is determined by the office to be at least as protective of the public health and the environment as the program adopted by the office.

(3) The state tank vessel inspection program shall ensure that all tank vessels entering state waters are inspected at least annually. To the maximum extent feasible, the state program shall consist of the monitoring of existing tank vessel inspection programs conducted by the federal government. The office shall consult with the coast guard regarding the tank vessel inspection program. Any tank vessel inspection conducted pursuant to this section shall be performed during the vessel's scheduled stay in port.

(4) Any violation of coast guard or other federal regulations uncovered during a state tank vessel inspection shall be immediately reported to the appropriate agency.

**NEW SECTION.** Sec. 416. **PREVENTION PLANS.** (1) The owner or operator for each covered vessel shall prepare and submit to the office an oil spill prevention plan in conformance with the requirements of this chapter. The plans shall be submitted to the office in the time and manner directed by the office, but not later than January 1, 1993. The spill prevention plan may be consolidated with a spill contingency plan submitted pursuant to section 417 of this act. The office may accept plans prepared to comply with other state or federal law as spill prevention plans to the extent those plans comply with the requirements of this chapter. The office, by rule, shall establish standards for spill prevention plans. The rules shall be adopted not later than July 1, 1992.

(2) The spill prevention plan for a covered vessel or a fleet of covered vessels operated by the same operator shall:

(a) Establish compliance with the federal oil pollution act of 1990 and state and federal financial responsibility requirements, if applicable;

(b) State all discharges of oil of more than twenty-five barrels from the vessel within the prior five years and what measures have been taken to prevent a reoccurrence;

(c) Describe all accidents, collisions, groundings, and near miss incidents in which the vessel has been involved in the prior five years, analyze the causes, and state the measures that have been taken to prevent a reoccurrence;

(d) Describe the vessel operations with respect to staffing standards;

(e) Describe the vessel inspection program carried out by the owner or operator of the vessel;

(f) Describe the training given to vessel crews with respect to spill prevention;

(g) Establish compliance with federal drug and alcohol programs;

(h) Describe all spill prevention technology that has been incorporated into the vessel;

- (i) Describe the procedures used by the vessel owner or operator to ensure English language proficiency of at least one bridge officer while on duty in waters of the state;
- (j) Describe relevant prevention measures incorporated in any applicable regional marine spill safety plan that have not been adopted and the reasons for that decision; and
- (k) Include any other information reasonably necessary to carry out the purposes of this chapter required by rules adopted by the office.

(3)(a) The administrator by rule may specify those cargo vessels and passenger vessels which may be exempt from the provisions of subsection (2) of this section. In determining which vessels shall not be required to prepare prevention plans, the administrator shall consider the length of time the vessel has been under the current ownership, the number of visits the vessel makes to Washington ports within a two-year period, and any other information deemed relevant by the administrator.

(b) In addition to the certification made pursuant to RCW 88.16.155(1) (a) through (c), the master of any cargo vessel or passenger vessel not required to have a prevention plan pursuant to (a) of this subsection which employs a Washington licensed pilot shall certify that the:

- (i) Vessel complies with safety of life at sea certificate requirements;
- (ii) Vessel complies with current international agreements concerning safety and radio equipment;
- (iii) Engine is able to maneuver and all related equipment is in good order;
- (iv) Vessel is not leaking oil;
- (v) Vessel is not experiencing propulsion or maneuvering difficulties;
- (vi) The master has notified the United States coast guard captain for the port of any deficiencies and has received authorization for the vessel to proceed, and that any deficiencies will be corrected before the vessel is scheduled to leave the waters of the state.

(4) The office shall only approve a prevention plan if it provides the best achievable protection from damages caused by the discharge of oil into the waters of the state and if it determines that the plan meets the requirements of this section and rules adopted by the office.

(5) Upon approval of a prevention plan, the office shall provide to the person submitting the plan a statement indicating that the plan has been approved, the vessels covered by the plan, and other information the office determines should be included.

(6) The approval of a prevention plan shall be valid for five years. An owner or operator of a covered vessel shall notify the office in writing immediately of any significant change of which it is aware affecting its prevention plan, including changes in any factor set forth in this section or in rules adopted by the office. The office may require the owner or operator to update a prevention plan as a result of these changes.

(7) The office by rule shall require prevention plans to be reviewed, updated, if necessary, and resubmitted to the office at least once every five years.

(8) Approval of a prevention plan by the office does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under this chapter or other state law.

(9) This section does not authorize the office to modify the terms of a collective bargaining agreement.

**NEW SECTION.** Sec. 417. CONTINGENCY PLANS. (1) Each covered vessel shall have a contingency plan for the containment and cleanup of oil spills from the covered vessel into the waters of the state and for the protection of fisheries and wildlife, natural resources, and public and private property from such spills. The office shall by rule adopt and periodically revise standards for the preparation of contingency plans. The office shall require contingency plans, at a minimum, to meet the following standards:

- (a) Include full details of the method of response to spills of various sizes from any vessel which is covered by the plan;

(b) Be designed to be capable in terms of personnel, materials, and equipment, of promptly and properly, to the maximum extent practicable, as defined by the office removing oil and minimizing any damage to the environment resulting from a worst case spill;

(c) Provide a clear, precise, and detailed description of how the plan relates to and is integrated into relevant contingency plans which have been prepared by cooperatives, ports, regional entities, the state, and the federal government;

(d) Provide procedures for early detection of spills and timely notification of such spills to appropriate federal, state, and local authorities under applicable state and federal law;

(e) State the number, training preparedness, and fitness of all dedicated, prepositioned personnel assigned to direct and implement the plan;

(f) Incorporate periodic training and drill programs to evaluate whether personnel and equipment provided under the plan are in a state of operational readiness at all times;

(g) Describe important features of the surrounding environment, including fish and wildlife habitat, environmentally sensitive areas, and public facilities. The departments of ecology, fisheries, wildlife, and natural resources, upon request, shall provide information that they have available to assist in preparing this description;

(h) State the means of protecting and mitigating effects on the environment, including fish, marine mammals, and other wildlife, and ensure that implementation of the plan does not pose unacceptable risks to the public or the environment;

(i) Establish guidelines for the use of equipment by the crew of a vessel to minimize vessel damage, stop or reduce any spilling from the vessel, and, only when appropriate and only when vessel safety is assured, contain and clean up the spilled oil;

(j) Provide arrangements for the prepositioning of spill containment and cleanup equipment and trained personnel at strategic locations from which they can be deployed to the spill site to promptly and properly remove the spilled oil;

(k) Provide arrangements for enlisting the use of qualified and trained cleanup personnel to implement the plan;

(l) Provide for disposal of recovered spilled oil in accordance with local, state, and federal laws;

(m) Until a spill prevention plan has been submitted pursuant to section 416 of this act, state the measures that have been taken to reduce the likelihood that a spill will occur, including but not limited to, design and operation of a vessel, training of personnel, number of personnel, and backup systems designed to prevent a spill;

(n) State the amount and type of equipment available to respond to a spill, where the equipment is located, and the extent to which other contingency plans rely on the same equipment; and

(o) If the department of ecology has adopted rules permitting the use of dispersants, the circumstances, if any, and the manner for the application of the dispersants in conformance with the department's rules.

(2)(a) The owner or operator of a tank vessel of three thousand gross tons or more shall submit a contingency plan to the office within six months after the office adopts rules establishing standards for contingency plans under subsection (1) of this section.

(b) Contingency plans for all other covered vessels shall be submitted to the office within eighteen months after the office has adopted rules under subsection (1) of this section. The office may adopt a schedule for submission of plans within the eighteen-month period.

(3)(a) The owner or operator of a tank vessel or of the facilities at which the vessel will be unloading its cargo shall submit the contingency plan for the tank vessel. Subject to conditions imposed by the office, the owner or operator of a facility may submit a single contingency plan for tank vessels of a particular class that will be unloading cargo at the facility.

(b) The contingency plan for a cargo vessel or passenger vessel may be submitted by the owner or operator of the cargo vessel or passenger vessel or by the agent for the vessel resident in this state. Subject to conditions imposed by the office, the owner, operator, or agent may submit a single contingency plan for cargo vessels or passenger vessels of a particular class.

(c) A person who has contracted with a covered vessel to provide containment and cleanup services and who meets the standards established pursuant to RCW 90.48.372 as recodified by this act, may submit the plan for any covered vessel for which the person is contractually obligated to provide services. Subject to conditions imposed by the office, the person may submit a single plan for more than one covered vessel.

(4) A contingency plan prepared for an agency of the federal government or another state that satisfies the requirements of this section and rules adopted by the office may be accepted by the office as a contingency plan under this section. The office shall assure that to the greatest extent possible, requirements for contingency plans under this section are consistent with the requirements for contingency plans under federal law.

(5) In reviewing the contingency plans required by this section, the office shall consider at least the following factors:

(a) The adequacy of containment and cleanup equipment, personnel, communications equipment, notification procedures and call down lists, response time, and logistical arrangements for coordination and implementation of response efforts to remove oil spills promptly and properly and to protect the environment;

(b) The nature and amount of vessel traffic within the area covered by the plan;

(c) The volume and type of oil being transported within the area covered by the plan;

(d) The existence of navigational hazards within the area covered by the plan;

(e) The history and circumstances surrounding prior spills of oil within the area covered by the plan;

(f) The sensitivity of fisheries and wildlife and other natural resources within the area covered by the plan;

(g) Relevant information on previous spills contained in on-scene coordinator reports prepared by the office; and

(h) The extent to which reasonable, cost-effective measures to prevent a likelihood that a spill will occur have been incorporated into the plan.

(6) The office shall approve a contingency plan only if it determines that the plan meets the requirements of this section and that, if implemented, the plan is capable, in terms of personnel, materials, and equipment, of removing oil promptly and properly and minimizing any damage to the environment.

(7) The approval of the contingency plan shall be valid for five years. Upon approval of a contingency plan, the office shall provide to the person submitting the plan a statement indicating that the plan has been approved, the vessels covered by the plan, and other information the office determines should be included.

(8) An owner or operator of a covered vessel shall notify the office in writing immediately of any significant change of which it is aware affecting its contingency plan, including changes in any factor set forth in this section or in rules adopted by the office. The office may require the owner or operator to update a contingency plan as a result of these changes.

(9) The office by rule shall require contingency plans to be reviewed, updated, if necessary, and resubmitted to the office at least once every five years.

(10) Approval of a contingency plan by the office does not constitute an express assurance regarding the adequacy of the plan nor constitute a defense to liability imposed under this chapter or other state law.

NEW SECTION. Sec. 418. The provisions of prevention plans and contingency plans approved by the office pursuant to this chapter shall be legally binding on those

persons submitting them to the office and on their successors, assigns, agents, and employees. The superior court shall have jurisdiction to restrain a violation of, compel specific performance of, or otherwise to enforce such plans upon application by the office. The office may issue an order pursuant to chapter 34.05 RCW requiring compliance with a contingency plan or a prevention plan and may impose administrative penalties for failure to comply with a plan.

**NEW SECTION.** Sec. 419. (1) Except as provided in subsection (2) of this section, it shall be unlawful for the owner or operator to knowingly and intentionally operate in this state or on the waters of this state a covered vessel without an approved contingency plan or an approved prevention plan as required by this chapter, or financial responsibility in compliance with this chapter and the federal oil pollution act of 1990. The first conviction under this section shall be a gross misdemeanor under chapter 9A.20 RCW. A second or subsequent conviction shall be a class C felony under chapter 9A.20 RCW.

(2) It shall not be unlawful for the owner or operator to operate a covered vessel if:

(a) The covered vessel is not required to have a contingency plan, spill prevention plan, or financial responsibility;

(b) All required plans have been submitted to the office as required by this chapter and rules adopted by the office and the office is reviewing the plan and has not denied approval; or

(c) The covered vessel has entered state waters after the United States coast guard has determined that the vessel is in distress.

(3) A person may rely on a copy of the statement issued by the department pursuant to section 417 of this act as evidence that a vessel has an approved contingency plan and the statement issued pursuant to section 416 of this act that a vessel has an approved prevention plan.

**NEW SECTION.** Sec. 420. (1) Except as provided in subsection (4) of this section, it shall be unlawful for a covered vessel to enter the waters of the state without an approved contingency plan required by section 417 of this act, a spill prevention plan required by section 416 of this act, or financial responsibility in compliance with chapter 88.40 RCW and the federal oil pollution act of 1990. The office may deny entry onto the waters of the state to any covered vessel that does not have a required contingency or spill prevention plan or financial responsibility.

(2) Except as provided in subsection (4) of this section, it shall be unlawful for a covered vessel to transfer oil to an onshore or offshore facility that does not have an approved contingency plan required under RCW 90.48.371 as recodified by this act, a spill prevention plan required by section 201 of this act, or financial responsibility in compliance with chapter 88.40 RCW and the federal oil pollution act of 1990.

(3) The administrator may assess a civil penalty of up to one hundred thousand dollars against the owner or operator of a vessel who is in violation of this section. Each day that the owner or operator of a covered vessel is in violation of this section shall be considered a separate violation.

(4) It shall not be unlawful for a covered vessel to operate on the waters of the state if:

(a) A contingency plan, a prevention plan, or financial responsibility is not required for the covered vessel;

(b) A contingency plan and prevention plan has been submitted to the office as required by this chapter and rules adopted by the office and the office is reviewing the plan and has not denied approval; or

(c) The covered vessel has entered state waters after the United States coast guard has determined that the vessel is in distress.

(5) Any person may rely on a copy of the statement issued by the office to section 417 of this act as evidence that the vessel has an approved contingency plan and the statement issued pursuant to section 416 of this act as evidence that the vessel has an approved spill prevention plan.

**NEW SECTION. Sec. 421. NOTIFICATION OF ACCIDENTS AND NEAR MISS INCIDENTS.** (1) In order to assist the state in identifying areas of the navigable waters of the state needing special attention, the owner or operator of a covered vessel shall notify the coast guard within one hour:

(a) Of the disability of the covered vessel if the disabled vessel is within twelve miles of the shore of the state; and

(b) Of a collision or a near miss incident within twelve miles of the shore of the state.

(2) The division of emergency management of the department of community development and the office shall request the coast guard to notify the division of emergency management as soon as possible after the coast guard receives notice of a disabled covered vessel or of a collision or near miss incident within twelve miles of the shore of the state. The office shall negotiate an agreement with the coast guard governing procedures for coast guard notification to the state regarding disabled covered vessels and collisions and near miss incidents.

(3) The office shall prepare a summary of the information collected under this section and provide the summary to the regional marine safety committees, the coast guard, and others in order to identify problems with the marine transportation system.

(4) For the purposes of this section:

(a) A tank vessel or cargo vessel is considered disabled if any of the following occur:

(i) Any accidental or intentional grounding;

(ii) The total or partial failure of the main propulsion or primary steering or any component or control system that causes a reduction in the maneuvering capabilities of the vessel;

(iii) An occurrence materially and adversely affecting the vessel's seaworthiness or fitness for service, including but not limited to, fire, flooding, or collision with another vessel;

(iv) Any other occurrence that creates the serious possibility of an oil or hazardous substance spill or an occurrence that may result in such a spill.

(b) A barge is considered disabled if any of the following occur:

(i) The towing mechanism becomes disabled;

(ii) The towboat towing the barge becomes disabled through occurrences defined in (a) of this subsection.

(c) A near miss incident is an incident that requires the pilot or master of a covered vessel to take evasive actions or make significant course corrections in order to avoid a collision with another ship or to avoid a grounding as required by the international rules of the road.

(5) Failure of any person to make a report under this section shall not be used as the basis for the imposition of any fine or penalty.

**NEW SECTION. Sec. 422. REGIONAL MARINE SAFETY COMMITTEES.** (1) The office shall establish regional marine safety committees at least for the Strait of Juan de Fuca/Puget Sound and Grays Harbor/Pacific coast. It is the intent of the legislature that the office also establish a regional marine safety committee jointly with the state of Oregon for the Columbia river. The office by rule shall establish the boundaries of the committees.

(2) The administrator shall appoint to each regional committee for a term of three years six persons representing a cross section of interests and the public with an interest in maritime transportation and environmental issues.

(3) The administrator or his or her designee shall chair each of the regional committees. Each member of the committee shall be reimbursed for actual and necessary expenses incurred in the performance of committee duties in accordance with RCW 43.03.250.

(4) Each regional committee shall be responsible for planning for the safe navigation and operation of tankers, barges, and other vessels within each region. Each committee shall prepare a regional marine safety plan, encompassing all vessel traffic within the region. The coast guard, the federal environmental protection agency, the army corps of engineers, and the navy shall be invited to attend the meetings of each marine regional safety committee.

(5) The administrator shall adopt rules and guidelines for regional marine safety plans in consultation with affected parties. The rules shall require the committees to establish subcommittees to involve all interested parties in the development of the plans and to require the committees to include a summary of public comments and any minority reports with recommendations submitted to the administrator. The rules shall also require the plans to consider all of the following:

(a) Requirements for tug escorts of tankers and other commercial vessels, and speed limits for tankers and other vessels in addition to the requirements imposed by statute;

(b) A review and evaluation of the adequacy of and any changes needed in:

(i) Anchorage designations and sounding checks;

(ii) Communications systems;

(iii) Commercial and recreational fishing, recreational boaters, and other small vessel congestion in shipping lanes; and

(iv) Placement and effectiveness of navigational aids, channel design plans, and the traffic and routings from port construction and dredging projects;

(c) Procedures for routing vessels during emergencies that impact navigation;

(d) Management requirements for control bridges;

(e) Special protection for environmentally sensitive areas;

(f) Suggested mechanisms to ensure that the provisions of the plan are fully and regularly enforced; and

(g) A recommendation as to whether establishing or expanding vessel traffic safety systems within the regions is desirable.

(6) Each regional marine safety plan shall be submitted to the office for approval within one year after the regional marine safety committee is established. The office shall review the plans for consistency with the rules and guidelines and shall approve the plans or give reasons for their disapproval. If a regional marine safety committee does not submit a regional marine safety plan to the office within one year after the committee is established, the office, after consulting with affected interests, may adopt a plan for the region that meets the requirements of subsection (5) of this section.

(7) Upon approval of a plan, the office shall implement those elements of the plan over which the state has authority. If federal authority or action is required, the office shall petition the appropriate agency or congress.

(8) Not later than July 1st of each even-numbered year each regional marine safety committee shall report its findings and recommendations to the marine oversight board established in section 501 of this act and the office concerning vessel traffic safety in its region and any recommendations for improving tanker, barge, and other vessel safety in the region by amending the regional marine safety plan. The regional committees shall also provide technical assistance to the marine oversight board.

NEW SECTION. Sec. 423. EMERGENCY RESPONSE SYSTEM. An emergency response system for the Strait of Juan de Fuca shall be established by July 1, 1992. In establishing the emergency response system, the administrator shall consider the recommendations of the regional marine safety committees. The administrator shall also

consult with the province of British Columbia regarding its participation in the emergency response system.

NEW SECTION. Sec. 424. CAPTIONS NOT LAW. Section headings as used in this chapter do not constitute any part of the law.

Sec. 425. RCW 90.48.385 and 1990 c 116 s 16 are each amended to read as follows:

~~((The department of ecology shall study standards for the manner in which, and the equipment with which, tow boats may tow barges carrying oil or hazardous substances as cargo or cargo residue.))~~ The regional marine safety committees established pursuant to section 422 of this 1991 act shall study federal requirements for tow equipment for barges carrying oil in bulk. The committees shall review standards ((shall address but are not limited to)) for: Wire rope specifications, catenary, the design of related on-board equipment, number of cables, ((and)) back-up or barge retrieval systems in case of cable break, and the operation, maintenance, and inspection of cables and other tow equipment.

~~((The department shall seek voluntary compliance with such standards.~~

~~Finally, the department shall study state jurisdiction over and liability of mandatory compliance with such standards. The department shall report to the appropriate standing committees of the legislature by July 1, 1991, recommendations regarding mandatory compliance with such standards.))~~

The committees shall submit their report to the office within one year after the committees are established. The report shall include a recommendation on whether the office should adopt standards for tow equipment and its maintenance, operation, and inspection. If there is a recommendation that the office adopt standards, the recommended standards shall also be included in the report.

Sec. 426. RCW 90.48.510 and 1987 c 479 s 2 are each amended to read as follows:

~~((After June 30, 1988,))~~ Any person or facility conducting ship refueling and bunkering operations, or the lightering of petroleum products, and any person or facility transferring oil between an onshore or offshore facility and a tank vessel shall have containment and recovery equipment readily available for deployment in the event of the discharge of oil into the waters of the state and shall deploy the containment and recovery equipment in accordance with standards adopted by the office. All persons conducting refueling, bunkering, or lightering operations, or oil transfer operations shall be trained in the use and deployment of oil spill containment and recovery equipment. ((After examining existing equipment locations, the methods and conditions of deployment, and accessibility of any federal or other publicly or privately owned and operated containment and recovery equipment or systems, and reviewing federal, state, or local laws, rules, or regulations and ordinances governing refueling, bunkering, or lightering of petroleum products.)) The ((department of ecology may)) office shall adopt rules as necessary to carry out the provisions of this section. The rules shall include standards for the circumstances under which containment equipment should be deployed. An onshore or offshore facility shall include the procedures used to contain and recover discharges in the facility's contingency plan. It is the responsibility of the person providing bunkering, refueling, or lightering services to provide any containment or recovery equipment required under this section.

#### "PART V

#### MARINE OVERSIGHT BOARD"

NEW SECTION. Sec. 501. MARINE OVERSIGHT BOARD. (1) The oil and hazardous substance marine oversight board is established to provide independent oversight of the actions of the federal government, industry, the department, the office, and other state agencies with respect to oil and hazardous substance spill prevention and response.

(2)(a) The board may, at its own discretion, study any aspect of oil and hazardous substance spill prevention and response in the state. The board shall report to the

governor and make recommendations to the department and the office on activities of the federal government and industry with respect to oil and hazardous substance spill prevention and response, including recommendations for the state's response to those actions. The board shall specifically review the need for, and the structure and design of an emergency response system for the Strait of Juan de Fuca and the Pacific coast. The board shall also make recommendations to the legislature and other state agencies on any provision of this chapter, other state laws, and rules, policies, and guidelines adopted by the department, the office, or, other state agencies relating to the prevention and cleanup of oil and hazardous substance spills into the waters of the state.

(b) To minimize duplication of effort, reviews conducted by the board shall be coordinated with related activities of the federal government, the department, the office, and other appropriate state and international entities.

(c) The board shall evaluate and report at least annually to the governor and the appropriate standing committees of the legislature on oil and hazardous substance spill prevention, response, and preparedness programs within the state.

(3) There shall be five members of the board appointed by the governor for terms of five years. Members' terms shall be staggered. The members of the board shall be representative of the public and shall have demonstrable knowledge of environmental protection and the study of marine ecosystems, or have familiarity with marine transportation systems. No member of the board may be in the business of, or be employed by, or under contract with, any person or entity that is in the business of transporting, storing, or handling oil or hazardous substances or be employed by a recognized environmental organization.

(4) A chair shall be selected by majority vote of the board. The board shall meet as often as required, but at least four times per year. Members shall be reimbursed for travel and expenses for attending meetings as provided in RCW 43.03.050 and 43.03.060.

(5) The chair may hire staff as necessary for the board to fulfill its responsibilities.

#### "PART VI

#### TANKER REQUIREMENTS"

Sec. 601. RCW 88.16.170 and 1975 1st ex.s. c 125 s 1 are each amended to read as follows:

Because of the danger of spills, the legislature finds that the transportation of crude oil and refined petroleum products by tankers on the Columbia river and on Puget Sound and adjacent waters creates a great potential hazard to important natural resources of the state and to jobs and incomes dependent on these resources.

The legislature recognizes that the Columbia river has many natural obstacles to navigation and shifting navigation channels that create the risk of an oil spill. The legislature also recognizes Puget Sound and adjacent waters are a relatively confined salt water environment with irregular shorelines and therefore there is a greater than usual likelihood of long-term damage from any large oil spill.

The legislature further recognizes that certain areas of the Columbia river and Puget Sound and adjacent waters have limited space for maneuvering a large oil tanker and that these waters contain many natural navigational obstacles as well as a high density of commercial and pleasure boat traffic.

For these reasons, it is important that large oil tankers be piloted by highly skilled persons who are familiar with local waters and that such tankers have sufficient capability for rapid maneuvering responses.

It is therefore the intent and purpose of RCW 88.16.180 as recodified by this 1991 act and 88.16.190 as recodified by this 1991 act to decrease the likelihood of oil spills on the Columbia river and on Puget Sound and its shorelines by requiring all oil tankers above a certain size to employ (~~Washington state~~) licensed pilots and (~~if lacking certain safety and maneuvering capability requirements,~~) to be escorted by a tug or tugs while navigating on certain areas of Puget Sound and adjacent waters.

Sec. 602. RCW 88.16.180 and 1983 c 3 s 231 are each amended to read as follows:

Notwithstanding the provisions of RCW 88.16.070, any registered oil tanker (~~whether enrolled or registered,~~) of ~~((fifty))~~ five thousand ~~((deadweight))~~ gross tons or greater, shall be required:

(1) To take a Washington state licensed pilot while navigating Puget Sound and adjacent waters and shall be liable for and pay pilotage rates pursuant to RCW 88.16.035; and

(2) To take a licensed pilot while navigating the Columbia river.

Sec. 603. RCW 88.16.200 and 1977 ex.s. c 337 s 16 are each amended to read as follows:

Any vessel designed for the purpose of carrying as its cargo liquefied natural or propane gas shall adhere to the provisions of RCW 88.16.190(2) as recodified by this 1991 act as though it ((was)) were an oil tanker.

NEW SECTION. Sec. 604. RECKLESS OPERATION OF A VESSEL. (1) A person commits the crime of reckless operation of a tank vessel if, while operating, navigating, or piloting a tank vessel, the person, with recklessness as defined in RCW 9A.08.010, causes a release of oil.

(2) Reckless operation of a vessel is a class C felony under chapter 9A.20 RCW.

NEW SECTION. Sec. 605. NEGLIGENT OPERATION OF A VESSEL. (1) A person commits the crime of negligent operation of a tank vessel if, while operating, navigating, or piloting a tank vessel, the person, with criminal negligence, as defined in RCW 9A.08.010, causes a release of oil.

(2) Negligent operation of a vessel is a gross misdemeanor under chapter 9A.20 RCW.

NEW SECTION. Sec. 606. OPERATION OF A VESSEL WHILE UNDER INFLUENCE OF LIQUOR OR DRUGS. (1) A person is guilty of operating a vessel while under the influence of intoxicating liquor or drugs if the person operates a covered vessel within this state while:

(a) The person has 0.06 grams or more of alcohol per two hundred ten liters of breath, as shown by analysis of the person's breath made under section 607 of this act; or

(b) The person has 0.06 percent or more by weight of alcohol in the person's blood as shown by analysis of the person's blood made under section 607 of this act; or

(c) The person is under the influence of or affected by intoxicating liquor or drugs;

or

(d) The person is under the combined influence of or affected by intoxicating liquor or drugs.

(2) The fact that any person charged with a violation of this section is or has been entitled to use such drug under the laws of this state shall not constitute a defense against any charge of violating this section.

(3) Operating a vessel while intoxicated is a class C felony under chapter 9A.20 RCW.

NEW SECTION. Sec. 607. BREATH OR BLOOD ANALYSIS. (1) Upon the trial of any civil or criminal action or proceeding arising out of acts alleged to have been committed by a person while operating a vessel while under the influence of intoxicating liquor or drugs, if the amount of alcohol in the person's blood or breath at the time alleged as shown by analysis of his blood or breath is less than 0.06 percent by weight of alcohol in his blood or 0.06 grams of alcohol per two hundred ten liters of the person's breath, it is evidence that may be considered with other competent evidence in determining whether the person was under the influence of intoxicating liquor or drugs.

(2) The breath analysis shall be based upon grams of alcohol per two hundred ten liters of breath. The foregoing provisions of this section shall not be construed as limiting

the introduction of any other competent evidence bearing upon the question whether the person was under the influence of intoxicating liquor or any drug.

(3) Analysis of the person's blood or breath to be considered valid under this section shall have been performed according to methods approved by the state toxicologist and by an individual possessing a valid permit issued by the state toxicologist for this purpose. The state toxicologist shall approve satisfactory techniques or methods, to supervise the examination of individuals to ascertain their qualifications and competence to conduct such analyses, and to issue permits that are subject to termination or revocation at the discretion of the state toxicologist.

(4) If a blood test is administered under this section, the withdrawal of blood for the purpose of determining its alcoholic content may be performed only by a physician, a registered nurse, or a qualified technician. This limitation shall not apply to the taking of breath specimens.

(5) The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person of his or her own choosing administer one or more tests in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test or tests taken at the direction of a law enforcement officer.

(6) Upon the request of the person who submits to a test or tests at the request of a law enforcement officer, full information concerning the test or tests shall be made available to the person or his or her attorney.

**NEW SECTION.** Sec. 608. **LIMITED IMMUNITY FOR BLOOD WITHDRAWAL.** No physician, registered nurse, qualified technician, or hospital, or duly licensed clinical laboratory employing or using services of the physician, registered nurse, or qualified technician, may incur any civil or criminal liability as a result of the act of withdrawing blood from any person when directed by a law enforcement officer to do so for the purpose of a blood test under section 607 of this act. This section shall not relieve any physician, registered nurse, qualified technician, or hospital or duly licensed clinical laboratory from civil liability arising from the use of improper procedures or failing to exercise the required standard of care.

#### "PART VII FINANCIAL RESPONSIBILITY"

Sec. 701. RCW 88.40.005 and 1990 c 116 s 29 are each amended to read as follows:

The legislature recognizes that oil and hazardous substance spills and other forms of incremental pollution present serious danger to the fragile marine environment of Washington state. It is the intent and purpose of this chapter to define and prescribe financial responsibility requirements for vessels that transport petroleum products and hazardous substances as cargo or as fuel across the waters of the state of Washington and for facilities that store, handle, or transfer oil or hazardous substances in bulk on or near the navigable waters.

**NEW SECTION.** Sec. 702. **DEFINITIONS.** Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Administrator" means the administrator of the office of marine safety created in section 402 of this act.

(2) "Cargo vessel" means a ship in commerce, other than a tank vessel or a passenger vessel, of three hundred gross tons or more, including but not limited to, commercial fish processing vessels and freighters.

(3) "Bulk" means material that is stored or transported in a loose, unpackaged liquid, powder, or granular form capable of being conveyed by a pipe, bucket, chute, or belt system.

(4) "Covered vessel" means a tank vessel, cargo vessel, or passenger vessel.

(5) "Department" means the department of ecology.

(6) "Director" means the director of the department of ecology.

(7)(a) "Facility" means any structure, group of structures, equipment, pipeline, or device, other than a vessel that is used for producing, storing, handling, transferring, processing, or transporting oil in bulk.

(b) A facility does not include any: (i) Railroad car, motor vehicle, or other rolling stock while transporting oil over the highways or rail lines of this state; (ii) retail motor vehicle motor fuel outlet; (iii) facility that is operated as part of an exempt agricultural activity as provided in RCW 82.04.330; or (iv) underground storage tank regulated by the department or a local government under chapter 90.76 RCW.

(8) "Hazardous substances" means any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section 101(14) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499. The following are not hazardous substances for purposes of this chapter:

(a) Wastes listed as F001 through F028 in Table 302.4; and

(b) Wastes listed as K001 through K136 in Table 302.4.

(9) "Inland barge" means any barge operating on the waters of the state and certified by the coast guard as an inland barge.

(10) "Navigable waters of the state" means those waters of the state, and their adjoining shorelines, that are subject to the ebb and flow of the tide and/or are presently used, have been used in the past, or may be susceptible for use to transport intrastate, interstate, or foreign commerce.

(11) "Office" means the office of marine safety established by section 402 of this act.

(12) "Oil" or "oils" means any naturally occurring liquid hydrocarbons at atmospheric temperature and pressure coming from the earth, including condensate and natural gasoline, and any fractionation thereof, including, but not limited to, crude oil, petroleum, gasoline, fuel oil, diesel oil, oil sludge, oil refuse, and oil mixed with wastes other than dredged spoil. Oil does not include any substance listed in Table 302.4 of 40 C.F.R. Part 302 adopted August 14, 1989, under section 101(14) of the federal comprehensive environmental response, compensation, and liability act of 1980, as amended by P.L. 99-499.

(13) "Offshore facility" means any facility located in, on, or under any of the navigable waters of the state, but does not include a facility any part of which is located in, on, or under any land of the state, other than submerged land.

(14) "Onshore facility" means any facility any part of which is located in, on, or under any land of the state, other than submerged land, that because of its location, could reasonably be expected to cause substantial harm to the environment by discharging oil into or on the navigable waters of the state or the adjoining shorelines.

(15)(a) "Owner or operator" means (i) in the case of a vessel, any person owning, operating, or chartering by devise, the vessel; (ii) in the case of an onshore or offshore facility, any person owning or operating the facility; and (iii) in the case of an abandoned vessel or onshore or offshore facility, the person who owned or operated the vessel or facility immediately before its abandonment.

(b) "Operator" does not include any person who owns the land underlying a facility if the person is not involved in the operations of the facility.

(16) "Passenger vessel" means a ship of three hundred or more gross tons carrying passengers for compensation.

(17) "Ship" means any boat, ship, vessel, barge, or other floating craft of any kind.

(18) "Spill" means an unauthorized discharge of oil or hazardous substances into the waters of the state.

(19) "Tank vessel" means a ship that is constructed or adapted to carry, or that carries, oil in bulk as cargo or cargo residue, and that:

(a) Operates on the waters of the state; or

(b) Transfers oil in a port or place subject to the jurisdiction of this state.

(20) "Waters of the state" includes lakes, rivers, ponds, streams, inland waters, underground water, salt waters, estuaries, tidal flats, beaches and lands adjoining the seacoast of the state, sewers, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

Sec. 703. RCW 88.40.020 and 1990 c 116 s 31 are each amended to read as follows:

~~(1) Any (vessel over three hundred gross tons, that transports petroleum products as cargo, and any) inland barge that transports oil or hazardous substances as cargo, using any port or place in the state of Washington or the navigable waters of the state shall establish((, under rules prescribed by the director of the department of ecology,)) evidence of financial responsibility in the amount of the greater of one million dollars, or one hundred fifty dollars per gross ton of such vessel((, to meet the liability to the state of Washington for the following: (1) The actual costs for removal of spills of petroleum products or hazardous substances; (2) civil penalties and fines; and (3) natural resource damages)).~~

(2)(a) A tank vessel that carries oil as cargo in bulk shall demonstrate financial responsibility to pay at least five hundred million dollars.

(b) The department by rule may establish a lesser standard of financial responsibility for barges of three thousand gross tons or less. The standard shall set the level of financial responsibility based on the quantity of cargo the barge is capable of carrying. The department shall not set the standard for barges of three thousand gross tons or less below that required under federal law.

(3) A cargo vessel or passenger vessel that carries oil as fuel shall demonstrate financial responsibility to pay the greater of at least six hundred dollars per gross ton or five hundred thousand dollars.

(4) The certificate of financial responsibility shall meet the liability of the certificate holder for the actual costs for removal of spills of oil and necessary expenses.

(5) The office may by rule set a lesser amount of financial responsibility for a tank vessel that meets standards for construction, propulsion, equipment, and personnel established by the office. The office shall require as a minimum level of financial responsibility under this subsection the same level of financial responsibility required under federal law.

(6) This section shall not apply to a covered vessel owned or operated by the federal government or by a state or local government.

NEW SECTION. Sec. 704. An onshore or offshore facility shall demonstrate financial responsibility in an amount determined by the department as necessary to compensate the state and affected counties and cities for damages that might occur during a reasonable worst case spill of oil from that facility into the navigable waters of the state. The department shall consider such matters as the amount of oil that could be spilled into the navigable waters from the facility, the cost of cleaning up the spilled oil, the frequency of operations at the facility, the damages that could result from the spill and the commercial availability and affordability of financial responsibility. This section shall not apply to an onshore or offshore facility owned or operated by the federal government or by the state or local government.

Sec. 705. RCW 88.40.030 and 1990 c 116 s 32 are each amended to read as follows:

Financial responsibility required by this chapter may be established by any one of, or a combination of, the following methods acceptable to the ((director of)) office of marine safety or the department of ecology: (1) Evidence of insurance; (2) surety bonds; (3) qualification as a self-insurer; or (4) other evidence of financial responsibility. Any bond filed shall be issued by a bonding company authorized to do business in the United

States. Documentation of such financial responsibility shall be kept on any (~~barge or tank~~) covered vessel (~~(transporting petroleum products or hazardous substances as cargo)~~) and filed with the (~~(department)~~) office at least twenty-four hours before entry of the vessel into the navigable waters of the state. (~~(The owner or operator of any other vessel shall maintain on the vessel a certificate issued by the United States coast guard evidencing compliance with the requirements of section 311 of the federal clean water act, 33 U.S.C. Sec. 1251 et seq.)~~) The owner or operator of the vessel may file with the office a certificate evidencing compliance with the requirements of another state's or federal financial responsibility requirements if the state or federal government requires a level of financial responsibility at least as high as that required under this chapter.

Sec. 706. RCW 88.40.040 and 1989 1st ex.s. c 2 s 5 are each amended to read as follows:

(1) The office shall deny entry to the waters of the state to any vessel that does not meet the financial responsibility requirements of this chapter. Any vessel owner or operator that does not meet the financial responsibility requirements of this chapter and any rules prescribed thereunder or the federal oil pollution act of 1990 shall be reported by the office to the ((secretary of transportation who shall suspend the privilege of operating said vessel until financial responsibility is demonstrated)) United States coast guard.

(2) The office shall enforce section 1016 of the federal oil pollution act of 1990 as authorized by section 1019 of the federal act.

(3) Any onshore or offshore facility owner or operator who does not meet the financial responsibility requirements of section 704 of this 1991 act and any rules adopted by the department shall be reported to the secretary of state. The secretary of state shall suspend the facility's privilege of operating in this state until financial responsibility is demonstrated.

#### "PART VIII FUNDS"

NEW SECTION. Sec. 801. DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Crude oil" means any naturally occurring liquid hydrocarbons at atmospheric temperature and pressure coming from the earth, including condensate and natural gasoline.

(2) "Department" means the department of revenue.

(3) "Marine terminal" means any facility of any kind, other than a waterborne vessel, that is used for transferring crude oil or petroleum products to or from a waterborne vessel or barge.

(4) "Navigable waters" means those waters of the state and their adjoining shorelines, that are subject to the ebb and flow of the tide, and that are used, have been used, or may be used to transport intrastate, interstate, or foreign commerce.

(5) "Person" has the meaning provided in RCW 82.04.030.

(6) "Petroleum product" means any liquid hydrocarbons at atmospheric temperature and pressure that is the product of fractionation, distillation, or other refining or processing of crude oil, and that is used as, useable as, or may be refined as a fuel or fuel blendstock, including, but not limited to, gasoline, diesel fuel, aviation fuel, bunker fuel, and fuels containing a blend of alcohol and petroleum.

(7) "Barrel" means a unit of measurement of volume equal to forty-two United States gallons of crude oil or petroleum product.

(8) "Taxpayer" means the person owning crude oil or petroleum products at the time the same are off-loaded at a marine terminal in this state and who is liable for the tax imposed by this chapter. The term shall also include any affiliated entity which may pay tax under section 802(7) of this act.

(9) "Waterborne vessel or barge" means any ship, barge, or other watercraft capable of travelling on the navigable waters of this state and capable of transporting any crude oil or petroleum product for purposes other than providing fuel for its motor or engine.

**NEW SECTION.** Sec. 802. (1) An oil spill response tax is imposed on the privilege of off-loading crude oil or petroleum products at a marine terminal within this state from a waterborne vessel or barge operating on the navigable waters of this state. The tax imposed in this section is levied upon the owner of the crude oil or petroleum products at the time such off-loading occurs at the rate of five cents per barrel of crude oil or petroleum product off-loaded.

(2) The taxes imposed by this chapter shall be collected by the marine terminal operator from the owner of the crude oil or petroleum products off-loaded at the marine terminal. If any person charged with collecting the tax fails to bill the taxpayer for the tax, or in the alternative has not notified the taxpayer in writing of the imposition of the tax, or having collected the tax, fails to pay it to the department in the manner prescribed by this chapter, whether such failure is the result of the person's own acts or the result of acts or conditions beyond the person's control, he or she shall, nevertheless, be personally liable to the state for the amount of the tax. Payment of the tax by the owner to a marine terminal operator shall relieve the owner from further liability for the tax.

(3) Taxes collected under this chapter shall be held in trust until paid to the department. Any person collecting the tax who appropriates or converts the tax collected shall be guilty of a gross misdemeanor if the money required to be collected is not available for payment on the date payment is due. The tax required by this chapter to be collected shall be stated separately from other charges made by the marine terminal operator in any invoice or other statement of account provided to the taxpayer.

(4) If a taxpayer fails to pay the tax imposed by this chapter to the person charged with collection of the tax and the person charged with collection fails to pay the tax to the department, the department may, in its discretion, proceed directly against the taxpayer for collection of the tax.

(5) The tax shall be due from the marine terminal operator, along with reports and returns on forms prescribed by the department, within twenty-five days after the end of the month in which the taxable activity occurs.

(6) The amount of tax, until paid by the taxpayer to the marine terminal operator or to the department, shall constitute a debt from the taxpayer to the marine terminal operator and any person required to collect the tax who fails or refuses to do so as required with intent to violate the provisions of this chapter, and any taxpayer who refuses to pay any tax due under this chapter shall be guilty of a misdemeanor.

(7) Upon prior approval of the department, the owner of crude oil or petroleum products off-loaded in this state may appoint an affiliated entity located in this state to pay the taxes imposed by this chapter directly to the department. For this purpose an affiliated entity is any entity which is majority owned or controlled by a common parent or owner. The department shall give its approval for direct payment under this section whenever it appears, in the department's judgment, that direct payment will enhance the administration of the taxes imposed under this chapter. The department shall provide by rule for the issuance of a direct payment certificate to any taxpayer qualifying for direct payment of the tax through an affiliated entity. Good faith acceptance of a direct payment certificate by a terminal operator shall relieve the marine terminal operator from any liability for the collection or payment of the taxes imposed under this chapter.

(8) The taxes collected under this chapter shall be deposited into the state oil spill response and prevention account.

**NEW SECTION.** Sec. 803. The tax imposed under this chapter shall only apply to the first off-loading of crude oil or petroleum products at a marine terminal in this state and not to the later transporting and subsequent off-loading of the same oil or petroleum

product, whether in the form originally off-loaded in this state or after refining or other processing.

NEW SECTION. Sec. 804. The tax imposed under this chapter shall not apply to any crude oil or petroleum products off-loaded at a marine terminal and subsequently exported from or sold for export from the state.

NEW SECTION. Sec. 805. (1) The state oil spill administration and response account is hereby created in the state treasury. All taxes collected under this chapter shall be deposited in the account. Expenditures from the account shall be used exclusively for the purposes of this chapter. The account is subject to allotment procedures under chapter 43.88 RCW. Expenditures for payment of the costs of administration of the provisions of this chapter may be made only after appropriation by statute. No appropriation is required for payment of the costs associated with the response to spills of crude oil or petroleum products.

(2) Costs of administration of the provisions of this chapter include the costs of:

(a) Routine responses not covered under subsection (3) of this section;

(b) Management and staff development activities;

(c) Development of rules and policies and the state-wide plan provided for in RCW 90.48.378 as recodified by this act;

(d) Facility and vessel plan review and approval, drills, inspections, investigations, enforcement, and litigation;

(e) Interagency coordination and public outreach and education;

(f) Collection and administration of the fee provided for in this chapter; and

(g) Appropriate travel, goods and services, contracts, and equipment consistent with activities provided for in chapters 90.56 and 88.-- RCW (sections 413 through 424 of this act).

(3) Costs associated with the response to spills of crude oil or petroleum products include:

(a) Natural resource damage assessment and related activities;

(b) Spill related response, containment, wildlife rescue, cleanup, disposal, and associated costs;

(c) Interagency coordination and public outreach and education;

(d) Collection and administration of the tax provided for in this chapter; and

(e) Appropriate travel, goods and services, contracts, and equipment consistent with activities provided for in chapters 90.56 and 88.-- RCW (sections 413 through 424 of this act).

(4) Within forty-five days after the end of each calendar quarter, the office of financial management shall determine the balance of the oil spill administration and response account as of the last day of the immediately preceding quarter. Balance determinations by the office of financial management under this section are final and shall not be used to challenge the validity of any tax imposed under this chapter. The office of financial management shall promptly notify the departments of revenue and ecology of the account balance once a determination is made. For each subsequent calendar quarter, tax shall be imposed under this chapter during the entire calendar quarter unless:

(a) Tax was imposed under this chapter during the immediately preceding calendar quarter, and the most recent quarterly balance is more than thirty-three million dollars; or

(b) Tax was not imposed under this chapter during the immediately preceding calendar quarter, and the most recent quarterly balance is more than seventeen million dollars.

NEW SECTION. Sec. 806. The following amounts are appropriated from the oil spill administration and response account for the biennium ending June 30, 1993, for the purposes of this act.

Department of Ecology

\$ 3,044,000

Marine Safety Office	\$ 3,196,000
Department of Wildlife	\$ 565,000
Department of Community Development	\$ 500,000
Department of Fisheries	\$ 410,000
State Parks and Recreation Commission	\$ 61,000
University of Washington	\$ 229,000
Department of Natural Resources	\$ 35,000
Department of Revenue	\$ 120,000
Total Appropriation	\$ 8,160,000

The appropriations in this section are subject to the following conditions and limitations: The entire appropriation to the University of Washington is provided solely for the Washington sea grant program to develop and conduct a spill prevention education program in accordance with section 110 of this act.

NEW SECTION. Sec. 807. The department shall adopt such rules as may be necessary to enforce and administer the provisions of this chapter.

NEW SECTION. Sec. 808. The taxes imposed in this chapter shall take effect October 1, 1991.

Sec. 809. RCW 90.48.142 and 1989 c 262 s 2 are each amended to read as follows:

(1) Any person who:

(a)(i) Violates any of the provisions of this chapter(,) or chapter 90.56 RCW;

(ii) Fails to perform any duty imposed by this chapter(,) or chapter 90.56 RCW;

(iii) Violates an order or other determination of the department or the director made pursuant to the provisions of this chapter(,including) or chapter 90.56 RCW;

(iv) Violates the conditions of a waste discharge permit issued pursuant to RCW 90.48.160(,and in the course thereof causes the death of, or injury to, fish, animals, vegetation or other resources of the state,); or

(v) Otherwise causes a reduction in the quality of the state's waters below the standards set by the department or, if no standards have been set, causes significant degradation of water quality, thereby damaging the same(,); and

(b) Causes the death of, or injury to, fish, animals, vegetation, or other resources of the state;

shall be liable to pay the state and affected counties and cities damages in an amount ~~((equal to the sum of money necessary to: (a) Restore any damaged resource to its condition prior to the injury, to the extent technically feasible, and compensate for the lost value incurred during the period between injury and restoration; or (b) compensate for the lost value throughout the duration of the injury that the resource previously provided if restoration is not technically feasible and, when only partial restoration is technically feasible, compensate for the remaining lost value. "Technical feasibility" or "technically feasible" shall mean for the purposes of this subsection, that given available technology, a restoration or enhancement project can be successfully completed at a cost that is not disproportionate to the value of the resource prior to the injury.~~

(2) Restoration shall include the cost to restock such waters, replenish or replace such resources, and otherwise restore the stream, lake or other waters of the state, including any estuary, ocean area, submerged lands, shoreline, bank, or other lands adjoining such waters to its condition prior to the injury, as such condition is determined by the department. The lost value of a damaged resource shall be equal to the sum of consumptive, nonconsumptive, and indirect use values, as well as lost taxation, leasing, and licensing revenues. Indirect use values may include existence, bequest, option, and aesthetic values. Damages shall be determined by generally accepted and cost effective procedures.

~~(3) Such damages shall be recoverable in an action brought by the attorney general on behalf of the people of the state of Washington in the superior court of Thurston county or the county in which such damages occurred: PROVIDED, That if damages occurred in more than one county the attorney general may bring action in any of the counties where the damages occurred. Any money so recovered by the attorney general shall be transferred to the coastal protection fund established under RCW 90.48.390. A steering committee consisting of representatives of the departments of ecology, fisheries, wildlife, natural resources, and the parks and recreation commission shall authorize the expenditure of the moneys collected under this section after consulting impacted local agencies and local and tribal governments. The department shall chair the steering committee. The moneys collected under this section shall only be used for the following purposes: (a) Environmental restoration and enhancement projects intended to restore or enhance environmental, recreational, or aesthetic resources for the benefit of Washington's citizens; (b) investigations of the long term effects of discharges, including sewer sludge, on state resources; and (c) reimbursement of agencies for reasonable reconnaissance and damage assessment costs under this chapter. Agencies may not be reimbursed under this section for the salaries and benefits of permanent employees for routine operational support. Agencies may only be reimbursed under this section if money for reconnaissance and damage assessment activities is unavailable from other sources. In authorizing restoration or enhancement projects, preference shall be given to projects within counties where the injury occurred)) determined pursuant to RCW 90.48.367.~~

(2) No action shall be authorized under this section against any person operating in compliance with the conditions of a waste discharge permit issued pursuant to RCW 90.48.160.

NEW SECTION. Sec. 810. A new section is added to chapter 90.48 RCW to read as follows:

For the purposes of this chapter, "technical feasibility" or "technically feasible" means that given available technology, a restoration or enhancement project can be successfully completed at a cost that is not disproportionate to the value of the resource before the injury.

Sec. 811. RCW 90.48.366 and 1989 c 388 s 2 are each amended to read as follows:

By July 1, 1991, the department, in consultation with the departments of fisheries, wildlife, and natural resources, and the parks and recreation commission, shall adopt rules establishing a compensation schedule for the discharge of oil or hazardous substances in violation of ((RCW 90.48.320, by persons liable under RCW 90.48.336)) this chapter and chapter 90.56 RCW. The department shall establish a scientific advisory board to assist in establishing the compensation schedule. The amount of compensation assessed under this schedule shall be no less than one dollar per gallon of oil spilled and no greater than fifty dollars per gallon of oil spilled. The compensation schedule shall reflect adequate compensation for unquantifiable damages or for damages not quantifiable at reasonable cost for any adverse environmental, recreational, aesthetic, or other effects caused by the ((oil)) spill and shall take into account:

(1) Characteristics of ((the)) any oil or hazardous substance spilled, such as toxicity, dispersibility, solubility, and persistence, that may affect the severity of the effects on the receiving environment, living organisms, and recreational and aesthetic resources;

(2) The sensitivity of the affected area as determined by such factors as: (a) The location of the spill; (b) habitat and living resource sensitivity; (c) seasonal distribution or sensitivity of living resources; (d) areas of recreational use or aesthetic importance; (e) the proximity of the spill to important habitats for birds, aquatic mammals, fish, or to species listed as threatened or endangered under state or federal law; and (f) other areas of special ecological or recreational importance, as determined by the department; and

(3) Actions taken by the party who spilled ((the)) oil or hazardous substances or any party liable for the spill that: (a) Demonstrate a recognition and affirmative acceptance

of responsibility for the spill, such as the immediate removal of oil or hazardous substances and the amount of oil removed from the environment; or (b) enhance or impede the detection of the spill, the determination of the ((number of gallons)) quantity of oil or hazardous substances spilled, or the extent of damage, including the unauthorized removal of evidence such as ((oiled)) injured fish or wildlife.

Sec. 812. RCW 90.48.367 and 1989 c 388 s 3 are each amended to read as follows:

~~(1) ((Prior to assessing compensation under RCW 90.48.366))~~ After a spill or other incident causing damages to the natural resources of the state, the department shall conduct a formal preassessment screening as provided in RCW 90.48.368.

(2) The department shall use the compensation schedule established under RCW 90.48.366 to determine the amount of damages if the preassessment screening committee determines that: (a) Restoration or enhancement of the injured resources is not technically feasible; (b) damages are not quantifiable at a reasonable cost; and (c) the restoration and enhancement projects or studies proposed by the liable parties are insufficient to adequately compensate the people of the state for damages ((sustained as a result of the oil spill).

~~(2) Compensation shall not be assessed under this section for oil spills for which damages have been or will be assessed under RCW 90.48.142)).~~

(3) If the preassessment screening committee determines that the compensation schedule should not be used, compensation shall be assessed for the amount of money necessary to restore any damaged resource to its condition before the injury, to the extent technically feasible, and compensate for the lost value incurred during the period between injury and restoration.

(4) Restoration shall include the cost to restock such waters, replenish or replace such resources, and otherwise restore the stream, lake, or other waters of the state, including any estuary, ocean area, submerged lands, shoreline, bank, or other lands adjoining such waters to its condition before the injury, as such condition is determined by the department. The lost value of a damaged resource shall be equal to the sum of consumptive, nonconsumptive, and indirect use values, as well as lost taxation, leasing, and licensing revenues. Indirect use values may include existence, bequest, option, and aesthetic values. Damages shall be determined by generally accepted and cost-effective procedures, including, but not limited to, contingent valuation method studies.

(5) Compensation assessed under this section shall be recoverable in an action brought by the attorney general on behalf of the people of the state of Washington and affected counties and cities in the superior court of Thurston county or any county in which damages occurred. Moneys recovered by the attorney general under this section shall be deposited in the coastal protection fund established under RCW 90.48.390, and shall only be used for the purposes stated in RCW 90.48.400.

~~((4))~~ (6) Compensation assessed under this section ((for a particular oil spill)) shall preclude claims under this chapter by local governments for compensation for damages to publicly owned resources resulting from the same ((spill)) incident.

Sec. 813. RCW 90.48.368 and 1989 c 388 s 4 are each amended to read as follows:

(1) The department shall adopt rules establishing a formal process for preassessment screening of damages resulting from ((oil)) spills to the waters of the state causing the death of, or injury to, fish, animals, vegetation, or other resources of the state. The rules shall specify the conditions under which the department shall convene a preassessment screening committee. The preassessment screening process shall occur concurrently with reconnaissance activities. The committee shall use information obtained from ((oil spill)) reconnaissance activities as well as any other relevant resource and resource use information. For each ((oil spill)) incident, the committee shall determine whether a damage assessment investigation should be conducted ((under RCW 90.48.142)), or ((alternatively)), whether the compensation schedule authorized under RCW 90.48.366 and 90.48.367 should be used to assess damages. The committee may accept restoration or

enhancement projects or studies proposed by the liable parties in lieu of some or all of: (a) The compensation schedule authorized under ~~((this chapter))~~ RCW 90.48.366 and 90.48.367; or (b) the claims from damage assessment studies authorized under RCW 90.48.142 as recodified by this 1991 act.

(2) A preassessment screening committee may consist of representatives of the departments of ecology, fisheries, wildlife, natural resources, social and health services, and emergency management, the parks and recreation commission, as well as other federal, state, and local agencies, and tribal and local governments whose presence would enhance the reconnaissance or damage assessment aspects of ~~((oil))~~ spill response. The department shall chair the committee and determine which representatives will be needed on a spill-by-spill basis.

(3) The committee shall consider the following factors when determining whether a damage assessment study authorized under RCW ~~((90.48.142))~~ 90.48.367 should be conducted: (a) Whether evidence from reconnaissance investigations suggests that injury has occurred or is likely to occur to publicly owned resources; (b) the potential loss in services provided by resources injured or likely to be injured and the expected value of the potential loss; (c) whether a restoration project to return lost services is technically feasible; (d) the accuracy of damage quantification methods that could be used and the anticipated cost-effectiveness of applying each method; (e) the extent to which likely injury to resources can be verified with available quantification methods; and (f) whether the injury, once quantified, can be translated into monetary values with sufficient precision or accuracy.

(4) When a resource damage assessment is required for an oil spill in the navigable waters of the state, as defined in RCW 90.48.315 as recodified by this 1991 act, the state trustee agency responsible for the resource and habitat damaged shall conduct the damage assessment and pursue all appropriate remedies with the responsible party.

(5) Oil and hazardous substance spill damage assessment studies authorized under RCW ~~((90.48.142))~~ 90.48.367 may only be conducted if the committee, after considering the factors enumerated in subsection (3) of this section, determines that the damages to be investigated are quantifiable at a reasonable cost and that proposed assessment studies are clearly linked to quantification of the damages incurred.

~~((5))~~ (6) As new information becomes available, the committee may reevaluate the scope of damage assessment using the factors listed in subsection (3) of this section and may reduce or expand the scope of damage assessment as appropriate.

~~((6))~~ (7) The preassessment screening process shall provide for the ongoing involvement of persons who may be liable for damages resulting from an oil or hazardous substance spill. The department may negotiate with a potentially liable party to perform restoration and enhancement projects or studies which may substitute for all or part of the compensation authorized under RCW 90.48.366 and 90.48.367 or the damage assessment studies authorized under RCW ~~((90.48.142))~~ 90.48.367.

~~((7))~~ (8) For the purposes of this section and RCW 90.48.367, the cost of a damage assessment shall be considered "reasonable" when the anticipated cost of the damage assessment is expected to be less than the anticipated damage that may have occurred or may occur.

Sec. 814. RCW 90.48.390 and 1989 c 388 s 7 and 1989 c 262 s 3 are each reenacted and amended to read as follows:

The coastal protection fund is established to be used by the department as a revolving fund for carrying out the purposes of restoration of natural resources under this chapter and chapter 90.56 RCW ~~((90.48.315 through 90.48.365, 78.52.020, 78.52.125, 82.36.330, 90.48.142, 90.48.315, 90.48.370 through 90.48.410, 90.48.903, 90.48.906 and 90.48.907, and 90.48.366 through 90.48.368))~~. To this fund there shall be credited penalties, fees, damages, ~~((and))~~ charges received pursuant to the provisions of this chapter and chapter 90.56 RCW ((90.48.142 and 90.48.315 through 90.48.365)),

compensation for damages received under this chapter and chapter 90.56 RCW ((90.48.366 through 90.48.368)), and an amount equivalent to one cent per gallon from each marine use refund claim under RCW 82.36.330.

Moneys in the fund not needed currently to meet the obligations of the department in the exercise of its powers, duties, and functions under RCW ((90.48.315 through 90.48.365 and RCW 78.52.020, 78.52.125, 82.36.330,)) 90.48.142, ((90.48.315, 90.48.370 through 90.48.410, 90.48.903, 90.48.906 and 90.48.907)) 90.48.366, 90.48.367, and 90.48.368 shall be deposited with the state treasurer to the credit of the fund and may be invested in such manner as is provided for by law. Interest received on such investment shall be credited to the fund.

Sec. 815. RCW 90.48.400 and 1990 c 116 s 14 are each amended to read as follows:

(1) Moneys in the coastal protection fund shall be disbursed for the following purposes and no others:

(a) ~~((All costs of the department related to the enforcement of RCW 90.48.315 through 90.48.365, 90.48.371 through 90.48.378, 90.48.381, 90.48.383, 90.48.385, 90.48.387, 90.48.388, 78.52.020, 78.52.125, 82.36.330, 90.48.142, 90.48.903, 90.48.906, and 90.48.907 including but not limited to equipment rental and contracting costs.~~

~~(b) All costs involved in the abatement of pollution related to the discharge of oil and other hazardous substances))~~ Environmental restoration and enhancement projects intended to restore or enhance environmental, recreational, or aesthetic resources for the benefit of Washington's citizens; and

(b) Investigations of the long-term effects of oil spills and the release of other hazardous substances on state resources.

~~((e))~~ (2) The director may allocate a portion of the fund to be devoted to research and development in the causes, effects, and removal of pollution caused by the discharge of oil or other hazardous substances.

~~((2) Moneys disbursed from the coastal protection fund for the abatement of pollution caused by the discharge of oil or other hazardous substances shall be reimbursed to the fund whenever:~~

~~(a) Moneys are available under any federal program; or~~

~~(b) Moneys are available from a recovery made by the department from the person liable for the discharge of oil or other hazardous substances.~~

~~(3) Moneys collected under RCW 90.48.142 shall only be used for the purposes enumerated in that section, subject to the approval of the steering committee.~~

(4)) (3) A steering committee consisting of representatives of the department of ecology, fisheries, wildlife, and natural resources, and the parks and recreation commission shall authorize the expenditure of the moneys collected under RCW 90.48.366 through 90.48.368, after consulting impacted local agencies and local and tribal governments. ~~((The moneys collected under RCW 90.48.366 through 90.48.368 shall only be used for the following purposes: (a) Environmental restoration and enhancement projects intended to restore or enhance environmental, recreational, or aesthetic resources for the benefit of Washington's citizens; (b) investigations of the long term effects of oil spills and the release of other hazardous substances on state resources; (c) reimbursement of agencies for reasonable reconnaissance and damage assessment costs; and (d) wildlife rescue and rehabilitation.))~~

(4) Agencies may not be reimbursed ((under this section)) from the coastal protection fund for the salaries and benefits of permanent employees for routine operational support. Agencies may only be reimbursed under this section if money for reconnaissance and damage assessment activities is unavailable from other sources.

Sec. 816. RCW 90.48.369 and 1989 c 388 s 5 are each amended to read as follows:

The department shall submit an annual report to the appropriate standing committees of the legislature for the next five years beginning January 1, 1990. The annual report

shall cover the implementation of ~~((this act))~~ RCW 90.48.366, 90.48.367, 90.48.368, and 90.48.369 and shall include information on each ~~((of))~~ spill for which a preassessment screening committee was convened, the outcome of each process, any compensation claims imposed or damage assessment studies conducted, and the revenues to and expenditures from the coastal protection fund.

#### "PART IX

#### MARINE SPILL RESPONSE COMMISSION"

Sec. 901. RCW 88.44.010 and 1990 c 117 s 2 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Administrator" means the administrator of the office of marine safety created by section 402 of this 1991 act.

(2) "Business class" means a recognized trade segment of the maritime industry.

~~((2))~~ (3) "Commission" means the Washington state ~~((maritime))~~ marine spill response commission.

~~((3))~~ "Director" means the director of the department of ecology or their duly authorized representative.)

(4) "Fishing vessel" means a vessel ~~((that))~~ (a) on which persons commercially engage~~((s))~~ in: ~~((a))~~ (i) Catching, taking, or harvesting fish; ((b)) (ii) preparing fish or fish products; or ((c)) (b) that supplies, stores, refrigerates, or transports fish, fish products, or materials directly related to fishing or the preparation of fish.

(5) "Foreign vessel" means a vessel of foreign registry or operated under the authority of a country, except the United States.

(6) "Oil" or "oils" means oil, including gasoline, crude oil, fuel oil, diesel oil, lubricating oil, sludge, oil refuse, liquid natural gas, propane, butane, oils distilled from coal, and other liquid hydrocarbons regardless of specific gravity, or any other petroleum related products.

(7) "Oceanographic research vessel" means a vessel that is employed only in instruction in oceanography or limnology, or both, or only in oceanographic or limnological research, including those studies about the sea such as seismic, gravity meter, and magnetic exploration and other marine geophysical or geological surveys, atmospheric research, and biological research.

(8) "Protection and indemnity club" means a mutual insurance organization formed by a group of shipowners or operators in order to secure cover for various risks of vessel operation, including oil spill costs, not covered by normal hull insurance.

(9) "Public vessel" means a vessel that is owned, or chartered and operated by the United States government, by a state of the United States, or a government of a foreign country and is not engaged in commercial service.

(10) "State" means a state of the United States, Guam, Puerto Rico, the Virgin Islands, American Samoa, the District of Columbia, the Northern Mariana Islands, and any other territory or possession of the United States.

(11) "Steamship agent or agency" means an agent or agency appointed by a vessel owner or operator to enter or clear vessels at ports within the state of Washington and to conduct onshore activities, or contract on behalf of the owner or operator for whatever is required for the efficient operation of the vessel.

(12) "Steamship liner company" means a steamship company maintaining a regular schedule of calls at designated ports of the state of Washington.

(13) "Towboat" means a commercial vessel engaged in, or intending to engage in, the service of pulling, pushing, or hauling along side, or any combination of pulling, pushing, or hauling along side.

(14) "United States flag vessel" means a vessel documented under the laws of the United States or registered under the laws of any state of the United States.

(15) "Vessel" means every description of watercraft, other than a seaplane on water, used or capable of being used as a means of transportation on water, carrying oil as fuel or cargo, and over three hundred gross registered tons, except oceanographic research vessels, public vessels, vessels being employed exclusively for pleasure, or vessels which, prior to entering Washington waters, have formerly arranged with an officially recognized cleanup cooperative or with a private cleanup contractor for immediate oil spill response.

(16) "Vessel owner or operator", means the legal owner of a vessel and/or the charterer or other person in charge of the day-to-day operation.

(17) "Waters of this state" or "waters of the state of Washington" (~~shall mean all navigable waters within the state of Washington as defined in Article 24, section 1 of the state Constitution~~) has the meaning in RCW 90.48.315 as recodified by this 1991 act.

Sec. 902. RCW 88.44.020 and 1990 c 117 s 3 are each amended to read as follows:

There is created ~~((a))~~ the Washington ((state maritime)) marine spill response commission to be known and designated and declared a corporate body. The powers and duties of the commission shall include the following:

(1) To ~~((elect a chairperson and such other officers as it deems advisable; and to))~~ adopt, rescind, and amend rules and orders for the exercise of its powers, which shall have the force and effect of the law when not inconsistent with existing laws;

(2) To administer and enforce the provisions of this chapter, and do all things reasonably necessary to effectuate the purposes of this chapter;

(3) To employ, and at its pleasure discharge, a manager, secretary, agents, attorneys, consultants, companies, organizations, and employees as it deems necessary, and to prescribe their duties and powers and fix their compensation;

(4) To establish offices, incur expenses, enter into contracts, and create such liabilities as may be reasonable for the proper administration and enforcement of this chapter;

(5) To assess vessels transiting the waters of this state, to collect such assessments, investigate violations, and enforce the provisions of this chapter, except for vessels which transit upon the portion of the Columbia river that runs between the states of Washington and Oregon;

(6) To keep accurate record of all of its dealings, which shall be open to inspection and audit by the state auditor;

(7) To sue and be sued, adopt a corporate seal, and have all of the powers of a corporation;

(8) To expend funds for commission-related education and training programs as the commission deems appropriate;

(9) To borrow money and incur indebtedness;

(10) To establish an oil spill first response system, except for vessels which transit upon the portion of the Columbia river that runs between the states of Washington and Oregon. This system will provide a mandatory emergency response communications network for vessels involved in commerce in Washington waters, and provide an immediate response to such vessels which, for whatever reason, discharge oil into the state's waters. In the event of an oil spill or threatened oil spill, the system must be able to provide a complete response for the first twenty-four hours after the initial report, which may include, but not be limited to, as needed, response vessel or vessels, boom equipment, skimmers, qualified personnel, and wildlife care centers.

The commission may establish, by or before July 1, 1992, an oil spill first response system for vessels which transit upon the portion of the Columbia river that runs between the states of Washington and Oregon;

(11) To enter into contracts with cleanup contractors to provide spill response, or with other organizations or companies for communication services;

(12) To recover oil spill first response system costs from a responsible vessel owner or operator in the event of a spill or threatened release;

(13) To hold response readiness drills with state and federal agencies;

(14) To work with other states' and countries' maritime organizations, cleanup cooperatives, and governmental response agencies; ~~(and)~~

(15) To develop an oil spill contingency plan to comply with state statutes and rules for those vessels covered by the commission, except for vessels operating on the portion of the Columbia river that runs between the states of Washington and Oregon. The commission shall develop an oil spill contingency plan for vessels which transit upon the portion of the Columbia river that runs between the states of Washington and Oregon, not later than January 1, 1993; and

(16) To report annually to the governor, the office of marine safety, and the appropriate standing committees of the legislature on the commission's work and the number of incidents to which the commission's first response system has responded, and make recommendations to improve the safety of maritime transportation.

Sec. 903. RCW 88.44.030 and 1990 c 117 s 4 are each amended to read as follows:

The commission shall be comprised of nine voting members. ~~((Six))~~ Seven persons ~~((, each representing a))~~ shall be appointed by the governor to represent specific business classes ~~((, shall be elected to membership in the commission and one person shall be appointed by the commission members))~~. Two of the members shall represent steamship liner companies, one American flag and one foreign flag. One member shall represent towboat companies. One member shall represent fishing vessels. One member shall represent steamship agencies serving tramp vessels. One member shall represent protection and indemnity clubs or other marine brokers or insurers of oil spill cleanup costs for vessels operating in Washington waters. One member shall represent steamship agencies serving tramp vessels on the Columbia river. The governor shall also appoint one member with maritime, marine labor, or marine spill cleanup experience and one member from the environmental community with marine experience ~~((shall be appointed from the public by the governor))~~. In addition, the ~~((director, the United States coast guard captain of the port for Puget Sound, the United States coast guard captain of the port for that portion of the Columbia river that runs between Washington and Oregon,))~~ administrator and a state pilot licensed under chapter 88.16 RCW ~~((,))~~ who pilots in the waters of the state of Washington, or their designees, will serve as nonvoting ~~((ex officio))~~ members. The United States coast guard captain of the port for Puget Sound and the United States coast guard captain of the port for that portion of the Columbia river that runs between Washington and Oregon shall be invited to attend meetings of the commission. The state-licensed pilot shall be selected by the Washington state board of pilotage commissioners.

Members of the commission must have had a minimum of five years' experience in their business class and be actively employed by or on behalf of a company within the business class for whom they shall represent. However, the protection and indemnity or insurance member may be a designee of the international group of protection and indemnity clubs, or any such marine insurers engaged in business within the state.

The commission shall meet at least ~~((quarterly every))~~ twice each year.

Sec. 904. RCW 88.44.040 and 1990 c 117 s 5 are each amended to read as follows:

~~((The regular term of office of the members of the commission shall be three years from July 1 following their election and until their successors are elected and qualified. The commission shall hold its annual meeting during the month of October each year for the purpose of electing officers and the transaction of other business and shall hold such other meetings during the year as it shall determine.~~

~~Commission members shall be first nominated and elected in 1990 in the manner set forth in RCW 88.44.050 and shall take office as soon as they are qualified. However, expiration of the term of the respective commission members first elected in 1990 shall be as follows:~~

~~(1) Foreign flag liner and fishing vessel members on July 1, 1991;~~

~~(2) Protection and indemnity club or marine member, and public member on July 1, 1992; and~~

~~(3) All other members on July 1, 1993.)~~ The governor shall appoint members of the commission for three-year terms. The governor shall appoint the chairperson. The members of the commission elected before the effective date of this section shall continue as members until their terms would have expired under section 5, chapter 117, Laws of 1990.

~~The respective terms shall end on June 30 of each third year thereafter. Any vacancies that occur on the commission shall be filled by ((appointment of an eligible person by the other members of the commission, and such appointee shall hold office for the remainder of the term for which they are appointed to fill, so that commission memberships shall be on a uniform staggered basis))~~ the governor to serve out the remainder of the unexpired term. The members of the commission are subject to the public disclosure act, chapter 42.17 RCW.

Sec. 905. RCW 88.44.080 and 1990 c 117 s 9 are each amended to read as follows:

A majority of the voting members of the commission shall constitute a quorum for the transaction of all business and the carrying out of the duties of the commission.

Each member of the commission shall be compensated in accordance with RCW 43.03.240 and shall be reimbursed for actual travel expenses incurred in carrying out the provisions of this chapter. Employees of the commission may also be reimbursed for actual travel expenses when out-of-state on official commission business. Compensation and reimbursement shall be from commission funds only.

~~((Resignations of commission members will be filled by a majority of the remaining commission members. The appointed commission members shall serve out the remaining term. If a commission member leaves the employment of their respective business class for more than one hundred twenty days, the commission member must resign from that position. A commission member may be removed from the commission for just cause by a two-thirds majority vote of commission members.))~~

Sec. 906. RCW 88.44.110 and 1990 c 117 s 12 are each amended to read as follows:

If it appears from investigation by the commission that the revenue from the assessment levied on vessels under this chapter is inadequate to accomplish the purposes of this chapter, the commission by rule shall ~~((adopt a resolution setting forth the necessities of the industry, the extent and probable cost of the required research, spill cleanup procedures and operations, public and industry education, administrative operations, the extent of public convenience, interest, and necessity, and probable revenue from the assessment levied. After the proper regulatory hearings, the commission may))~~ increase the assessment to a sum determined by the commission to be necessary for those purposes. The rule adopting the increase shall be filed with the administrator. An increase ((becomes effective)) shall not take effect earlier than ninety days after the ((resolution)) rule is adopted ((or on any other date provided for in the resolution)) and filed with the administrator, unless the administrator determines that the increase is not justified.

Sec. 907. RCW 88.44.160 and 1990 c 117 s 17 are each amended to read as follows:

Rules and orders adopted by the commission shall be filed with the ~~((director))~~ administrator and shall become effective pursuant to the provisions of the administrative procedure act.

#### "PART X PILOTAGE"

Sec. 1001. RCW 88.16.010 and 1987 c 485 s 1 are each amended to read as follows:

(1) The board of pilotage commissioners of the state of Washington is hereby created and shall consist of the assistant secretary of marine transportation of the department of transportation of the state of Washington, or the assistant secretary's designee who shall be an employee of the marine division, who shall be chairperson, the administrator of the office of marine safety, or the administrator's designee, and six members appointed by the governor and confirmed by the senate. Each of ~~((said))~~ the appointed commissioners shall be appointed for a term of four years from the date of ~~((said))~~ the member's commission. No person shall be eligible for appointment to ~~((said))~~ the board unless that person is at the time of appointment eighteen years of age or over and a citizen of the United States and of the state of Washington. Two of ~~((said))~~ the appointed commissioners shall be pilots licensed under this chapter and actively engaged in piloting upon the waters covered by this chapter for at least three years immediately preceding the time of appointment and while serving on the board. One pilot shall be from the Puget Sound pilotage district and one shall be from the Grays Harbor pilotage district. Two of ~~((said))~~ the appointed commissioners shall be actively engaged in the ownership, operation, or management of deep sea cargo and/or passenger carrying vessels for at least three years immediately preceding the time of appointment and while serving on the board. One of said shipping commissioners shall be a representative of American and one of foreign shipping. At least one of the commissioners shall be a representative from a recognized environmental organization concerned with marine waters. The remaining commissioner(s) shall be ~~((persons))~~ interested in and concerned with pilotage, maritime safety, and marine affairs, with broad experience related to the maritime industry exclusive of experience as either a state licensed pilot or as a shipping representative.

(2) Any vacancy in an appointed position on the board shall be filled by the governor for the remainder of the unfilled term, subject to confirmation by the senate.

(3) Four members of the board shall constitute a quorum. At least one pilot, one shipping representative, and one public member must be present at every meeting. All commissioners and the chairperson shall have a vote.

Sec. 1002. RCW 88.16.090 and 1990 c 116 s 27 and 1990 c 112 s 1 are each reenacted and amended to read as follows:

(1) A person may pilot any vessel subject to the provisions of this chapter on waters covered by this chapter only if appointed and licensed to pilot such vessels on said waters under and pursuant to the provisions of this chapter.

(2) A person is eligible to be appointed a pilot if the person is a citizen of the United States, over the age of twenty-five years and under the age of seventy years, a resident of the state of Washington at the time of appointment and only if the pilot applicant holds as a minimum, a United States government license as a master of ocean or near coastal steam or motor vessels of not more than one thousand six hundred gross tons or as a master of inland steam or motor vessels of not more than one thousand six hundred gross tons, such license to have been held by the applicant for a period of at least two years prior such license to have been held by the applicant for a period of at least two years prior to taking the Washington state pilotage examination and a first class United States endorsement without restrictions on that license to pilot in the pilotage districts for which the pilot applicant desires to be licensed, and if the pilot applicant meets such other qualifications as may be required by the board. A person applying for a license under this section shall not have been convicted of an offense involving drugs or the personal consumption of alcohol in the twelve months prior to the date of application. This restriction does not apply to license renewals under this section.

(3) Pilots shall be licensed hereunder for a term of five years from and after the date of the issuance of their respective state licenses. Such licenses shall thereafter be renewed as of course, unless the board shall withhold same for good cause. Each pilot shall pay to the state treasurer an annual license fee established by the board of pilotage

commissioners pursuant to chapter 34.05 RCW, but not to exceed one thousand five hundred dollars, to be placed in the state treasury to the credit of the pilotage account. The board may assess partially active or inactive pilots a reduced fee.

(4) Pilot applicants shall be required to pass a written and oral examination administered and graded by the board which shall test such applicants on this chapter, the rules of the board, local harbor ordinances, and such other matters as may be required to compliment the United States examinations and qualifications. The board shall ~~(conduct the examination on a regular date, as prescribed by rule, at least once every two years))~~ hold examinations at such times as will, in the judgment of the board, ensure the maintenance of an efficient and competent pilotage service. An examination shall be scheduled for the Puget Sound pilotage district if there are three or fewer successful candidates from the previous examination who are waiting to become pilots in that district.

(5) The board shall ~~((have developed five examinations and grading sheets for the Puget Sound pilotage district, and two for each other))~~ develop an examination and grading sheet for each pilotage district, for the testing and grading of pilot applicants. The examinations shall be administered to pilot applicants ((on a random basis)) and shall be updated as required to reflect changes in law, rules, policies, or procedures. The board may appoint a special independent examination committee or may contract with a firm knowledgeable and experienced in the development of professional tests for development of said examinations. Active licensed state pilots may be consulted for the general development of examinations but shall have no knowledge of the specific questions. The pilot members of the board may participate in the grading of examinations. If the board does appoint a special examination development committee it is authorized to pay the members of said committee the same compensation and travel expenses as received by members of the board. When grading examinations the board shall carefully follow the grading sheet prepared for that examination. The board shall develop a "sample examination" which would tend to indicate to an applicant the general types of questions on pilot examinations, but such sample questions shall not appear on any actual examinations. Any person who willfully gives advance knowledge of information contained on a pilot examination is guilty of a gross misdemeanor.

(6) All pilots and applicants are subject to an annual physical examination by a physician chosen by the board. The physician shall examine the applicant's heart, blood pressure, circulatory system, lungs and respiratory system, eyesight, hearing, and such other items as may be prescribed by the board. After consultation with a physician and the United States coast guard, the board shall establish minimum health standards to ensure that pilots licensed by the state are able to perform their duties. Within ninety days of the date of each annual physical examination, and after review of the physician's report, the board shall make a determination of whether the pilot or candidate is fully able to carry out the duties of a pilot under this chapter. The board may in its discretion check with the appropriate authority for any convictions of offenses involving drugs or the personal consumption of alcohol in the prior twelve months.

(7) The board shall prescribe, pursuant to chapter 34.05 RCW, a number of familiarization trips, between a minimum number of twenty-five and a maximum of one hundred, which pilot applicants must make in the pilotage district for which they desire to be licensed. Familiarization trips any particular applicant must make are to be based upon the applicant's vessel handling experience.

(8) The board may ~~((prescribe))~~ require vessel simulator training for a pilot applicant((, or)) and shall require vessel simulator training for a pilot subject to RCW 88.16.105((, as it deems appropriate, taking into consideration the economic cost of such training, to enhance that person's ability to perform pilotage duties under this chapter)). The board shall also require vessel simulator training in the first year of active duty for a new pilot and at least once every five years for all active pilots.

(9) The board shall prescribe, pursuant to chapter 34.05 RCW, such reporting requirements and review procedures as may be necessary, to assure the accuracy and validity of license and service claims, and records of familiarization trips of pilot candidates. Willful misrepresentation of such required information by a pilot candidate shall result in disqualification of the candidate.

(10) The board shall adopt rules to establish time periods and procedures for additional training trips and retesting as necessary for pilots who at the time of their licensing are unable to become active pilots.

Sec. 1003. RCW 88.16.105 and 1987 c 264 s 3 are each amended to read as follows:

The board shall prescribe, pursuant to chapter 34.05 RCW, rules governing the size and type of vessels which a newly licensed pilot may be assigned to pilot on the waters of this state and whether the assignment involves docking or undocking a vessel. The rules shall also prescribe required familiarization trips before a newly licensed pilot may pilot a larger or different type of vessel. Such rules shall be for the first ~~((three))~~ five-year period in which pilots are actually employed.

Sec. 1004. RCW 88.16.110 and 1935 c 18 s 7 are each amended to read as follows:

(1) Every pilot licensed under this chapter shall file with the board not later than the tenth day of January, April, July and October of each year a report for the preceding quarter. Said report shall contain an account of all moneys received for pilotage by him or her or by any other person for ~~((him))~~ the pilot or on ~~((his))~~ the pilot's account or for his or her benefit. Said report shall state the name of each vessel piloted, the amount charged to and/or collected from each vessel, the port of registry of such vessel, its dead weight tonnage, whether it was inward or outward bound, whether the amount so received, collected or charged is in full payment of pilotage and such other information as the board shall by regulation prescribe.

(2) The report shall include information for each vessel that suffers a grounding, collision, or other major marine casualty that occurred while the pilot was on duty during the reporting period. The report shall also include information on near miss incidents as defined in section 421 of this 1991 act. Information concerning near miss incidents provided pursuant to this section shall not be used for imposing any sanctions or penalties. The board shall forward information provided under this subsection to the office of marine safety for inclusion in the collision reporting system established under section 421 of this 1991 act.

Sec. 1005. RCW 88.16.155 and 1977 ex.s. c 337 s 11 are each amended to read as follows:

(1) The master of any vessel which employs a Washington licensed pilot shall certify on a form prescribed by the board of pilotage commissioners that the vessel complies with:

(a) Such provisions of the United States coast guard regulations governing the safety and navigation of vessels in United States waters, as codified in Title 33 of the code of federal regulations, as the board may prescribe; ~~((and))~~

(b) The provisions of current international agreements governing the safety, radio equipment, and pollution of vessels and other matters as ratified by the United States Senate and prescribed by the board;

(c) The federal oil pollution act of 1990; and

(d) If applicable, the certification provided for in section 416(4) of this 1991 act.

(2) The master of any vessel which employs a Washington licensed pilot shall be prepared to produce, and any Washington licensed pilot employed by a vessel shall request to see, certificates of the vessel which certify and indicate that the vessel complies with subsection (1) of this section and the rules of the board ~~((promulgated))~~ adopted pursuant to subsection (1) of this section.

(3) If the master of a vessel which employs a Washington licensed pilot cannot certify that the vessel complies with subsection (1) of this section and the rules of the board adopted pursuant to subsection (1) of this section, the master shall certify that:

(a) The vessel will comply with subsection (1) of this section before the time the vessel is scheduled to leave the waters of Washington state; and

(b) The coast guard captain of the port was notified of the noncomplying items when they were determined; and

(c) The coast guard captain of the port has authorized the vessel to proceed under such conditions as prescribed by the coast guard pursuant to its authority under federal statutes and regulations.

(4) After the board has prescribed the form required under subsection (1) of this section, no Washington licensed pilot shall offer pilotage services to any vessel on which the master has failed to make a certification required by this section. If the master fails to make a certification the pilot shall:

(a) Disembark from the vessel as soon as practicable; and

(b) Immediately inform the port captain of the conditions and circumstances by the best possible means; and

(c) Forward a written report to the board no later than twenty-four hours after disembarking from the vessel.

(5) Any Washington licensed pilot who offers pilotage services to a vessel on which the master has failed to make a certification required by this section or the rules of the board adopted under this section shall be subject to RCW 88.16.150, as now or hereafter amended, and RCW 88.16.100, as now or hereafter amended.

(6) The board shall revise the requirements enumerated in this section as necessary to reflect changes in coast guard regulations, federal statutes, and international agreements. All actions of the board under this section shall comply with chapters 34.05 and 42.30 RCW. The board shall prescribe the time of and method for retention of forms which have been signed by the master of a vessel in accordance with the provisions of this section.

(7) This section shall not apply to the movement of dead ships. The board shall prescribe pursuant to chapter 34.05 RCW, after consultation with the coast guard and interested persons, for the movement of dead ships and the certification process thereon.

#### "PART XI

#### MISCELLANEOUS PROVISIONS"

**NEW SECTION.** Sec. 1101. DEPARTMENT OF NATURAL RESOURCES LEASES. After the effective date of this section, the department of natural resources shall include in its leases for onshore and offshore facilities the following provisions:

(1) Require those wishing to lease, sublease, or re-lease state-owned aquatic lands to comply with the provisions of this chapter;

(2) Require lessees and sublessees to operate according to the plan of operations and to keep the plan current in compliance with this chapter; and

(3) Include in its leases provisions that a violation by the lessee or sublessee of the provisions of this chapter may be grounds for termination of the lease.

Sec. 1102. RCW 90.48.037 and 1987 c 109 s 125 are each amended to read as follows:

The department, with the assistance of the attorney general, is authorized to bring any appropriate action at law or in equity, including action for injunctive relief, in the name of the people of the state of Washington as may be necessary to carry out the provisions of this chapter or chapter 90.56 RCW.

Sec. 1103. RCW 90.48.095 and 1987 c 109 s 128 are each amended to read as follows:

In carrying out the purposes of this chapter or chapter 90.56 RCW the department shall, in conjunction with either the ~~((promulgation))~~ adoption of rules ~~((and regulations))~~,

consideration of an application for a waste discharge permit or the termination or modification of such permit, or proceedings in (~~contested cases~~) adjudicative hearings, have the authority to issue process and subpoena witnesses effective throughout the state on its own behalf or that of an interested party, compel their attendance, administer oaths, take the testimony of any person under oath and, in connection therewith require the production for examination of any books or papers relating to the matter under consideration by the department. In case of disobedience on the part of any person to comply with any subpoena issued by the department, or on the refusal of any witness to testify to any matters regarding which he may be lawfully interrogated, it shall be the duty of the superior court of any county, or of the judge thereof, on application of the department, to compel obedience by proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein. In connection with the authority granted under this section no witness or other person shall be required to divulge trade secrets or secret processes. Persons responding to a subpoena as provided herein shall be entitled to fees as are witnesses in superior court.

Sec. 1104. RCW 90.48.100 and 1987 c 109 s 129 are each amended to read as follows:

The department shall have the right to request and receive the assistance of any educational institution or state agency when it is deemed necessary by the department to carry out the provisions of this chapter or chapter 90.56 RCW.

Sec. 1105. RCW 90.48.156 and 1987 c 109 s 134 are each amended to read as follows:

The department is authorized to cooperate with appropriate agencies of neighboring states and neighboring provinces, to enter into contracts, and make contributions toward interstate and state-provincial projects to carry out the purposes of this chapter and chapter 90.56 RCW.

Sec. 1106. RCW 90.48.240 and 1987 c 109 s 15 are each amended to read as follows:

Notwithstanding any other provisions of this chapter or chapter 90.56 RCW, whenever it appears to the director that water quality conditions exist which require immediate action to protect the public health or welfare, or that a person required by RCW 90.48.160 to obtain a waste discharge permit prior to discharge is discharging without the same, or that a person conducting an operation which is subject to a permit issued pursuant to RCW 90.48.160 conducts the same in violation of the terms of said permit, causing water quality conditions to exist which require immediate action to protect the public health or welfare, the director may issue a written order to the person or persons responsible without prior notice or hearing, directing and affording the person or persons responsible the alternative of either (1) immediately discontinuing or modifying the discharge into the waters of the state, or (2) appearing before the department at the time and place specified in said written order for the purpose of providing to the department information pertaining to the violations and conditions alleged in said written order. The responsible person or persons shall be afforded not less than twenty-four hours notice of such an information meeting. If following such a meeting the department determines that water quality conditions exist which require immediate action as described herein, the department may issue a written order requiring immediate discontinuance or modification of the discharge into the waters of the state. In the event an order is not immediately complied with the attorney general, upon request of the department, shall seek and obtain an order of the superior court of the county in which the violation took place directing compliance with the order of the department. Such an order is appealable pursuant to RCW 43.21B.310.

Sec. 1107. RCW 90.48.907 and 1971 ex.s. c 180 s 10 are each amended to read as follows:

~~((RCW 90.48.315 through 90.48.365 and this 1971 amendatory act))~~ This chapter, being necessary for the general welfare, the public health, and the public safety of the state and its inhabitants, shall be liberally construed to effect their purposes. No rule, regulation, or order of the department shall be stayed pending appeal under ~~((the provisions of RCW 90.48.315 through 90.48.365 and this 1971 amendatory act))~~ this chapter.

NEW SECTION. Sec. 1108. The department of ecology, the office of marine safety, and the marine oversight board shall study issues related to the transportation and storage of bulk hazardous substances on or near the navigable waters of the state. The study shall develop information on the types, hazards, and quantity of bulk hazardous substances shipped on or stored near the navigable waters, the types of vessels used to transport the substances, the types of facilities at which the substances are transferred or stored, the methods for responding to spills of the substances. The study shall also examine existing regulation of the transporters and facilities, including an examination of requirements for prevention and response planning. The study shall incorporate any recommendations for changes in state laws which the department, office, and board determine are necessary to protect the navigable waters of the state. An interim report shall be completed not later than December 1, 1991, and the final study shall be completed and a report made to the appropriate standing committees of the legislature not later than November 1, 1992.

NEW SECTION. Sec. 1109. The department of ecology shall report to the appropriate standing committees on the effectiveness of chapter 90.56 RCW, and in particular as to how the chapter has been implemented to complement federal law. A report shall be submitted not later than December 1, 1992, and a second report not later than December 1, 1994.

NEW SECTION. Sec. 1110. TIMING FOR STATE MASTER PREVENTION AND CONTINGENCY PLANS. The state-wide master plan required by section 10, chapter 116, Laws of 1990 to be completed by July 1, 1991, shall be completed by July 1, 1991. The additional requirements to the state-wide master plan concerning prevention plans, and an incident command system shall be added to the first annual update submitted to the legislature not later than November 1, 1992.

NEW SECTION. Sec. 1111. TIMING OF CONTINGENCY PLAN RULES. The rules required by RCW 90.48.371 as recodified by this act for facilities and, except as otherwise provided in this section for covered vessels, shall be adopted not later than July 1, 1991. The department shall exclude from the rules to be adopted by July 1, 1991, standards for tank vessels of less than twenty thousand deadweight tons, cargo vessels, and passenger vessels operating on the portion of the Columbia river for which the department determines that Washington and Oregon should cooperate in the adoption of standards for contingency plans. The department, after consultation with the appropriate state agencies in Oregon, shall adopt the rules for standards for contingency plans for this portion of the Columbia river at the earliest possible time, but not later than July 1, 1992.

NEW SECTION. Sec. 1112. CAPTIONS NOT LAW. Section headings and part headings as used in this chapter shall constitute no part of the law.

NEW SECTION. Sec. 1113. Sections 101, 103, 108 through 110, 201, 203, 204, 501, 805, and 1111 of this act are each added to a new chapter in Title 90 RCW to be codified as provided for in section 1114 of this act.

NEW SECTION. Sec. 1114. CODIFICATION INSTRUCTIONS. (1) Parts I through III and V, and sections 805 and 1111 of this act shall constitute a new chapter in Title 90 RCW to be codified as chapter 90.56 RCW, and shall be codified and recodified as provided for in this section. The code reviser shall correct all statutory references to these sections to reflect this recodification.

The following sections shall be codified and recodified in the following order:  
Section 101 of this act

RCW 90.48.315  
 Section 103 of this act  
 RCW 90.48.370  
 RCW 90.48.365  
 RCW 90.48.380  
 RCW 90.48.378  
 Section 108 of this act  
 Section 109 of this act  
 Section 110 of this act  
 RCW 90.48.387  
 RCW 90.48.388  
 Section 201 of this act  
 RCW 90.48.371  
 Section 203 of this act  
 Section 204 of this act  
 RCW 90.48.372  
 RCW 90.48.373  
 RCW 90.48.374  
 RCW 90.48.375  
 RCW 90.48.360  
 RCW 90.48.376  
 RCW 90.48.377  
 RCW 90.48.320  
 RCW 90.48.350  
 RCW 90.48.325  
 RCW 90.48.330  
 RCW 90.48.335  
 RCW 90.48.336  
 RCW 90.48.338  
 RCW 90.48.383  
 RCW 90.48.340  
 RCW 90.48.355  
 RCW 90.48.343  
 Section 501 of this act  
 RCW 90.48.907  
 Section 1201 of this act  
 Section 1212 of this act.

(2) Sections 801 through 805, 807, and 808 of this act shall constitute a new chapter in Title 82 RCW.

(3) Sections 402 through 404 and 406 of this act shall constitute a new chapter in Title 43 RCW.

(4)(a) Sections 413 through 424 of this act shall constitute a new chapter in Title 88 RCW.

(b) RCW 90.48.385 and 90.48.510 are recodified as sections in the new chapter created in (a) of this subsection.

(5) Sections 604 through 608 of this act are each added to chapter 88.16 RCW.

NEW SECTION. Sec. 1115. REPEALER. The following acts or parts of acts are each repealed:

(1) RCW 90.48.345 and 1987 c 109 s 150 & 1969 ex.s. c 133 s 6;

(2) RCW 90.48.381 and 1990 c 116 s 15;

(3) RCW 90.48.410 and 1971 ex.s. c 180 s 6;

(4) RCW 88.40.010 and 1990 c 116 s 30 & 1989 1st ex.s. c 2 s 2;

(5) RCW 88.40.050 and 1989 1st ex.s. c 2 s 6;

- (6) RCW 90.48.910 and 1967 c 13 s 25;  
 (7) RCW 88.44.040 and 1990 c 117 s 5;  
 (8) RCW 88.44.050 and 1990 c 117 s 6;  
 (9) RCW 88.44.060 and 1990 c 117 s 7; and  
 (10) RCW 88.44.070 and 1990 c 117 s 8.

**NEW SECTION.** Sec. 1116. 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. 1117. 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 shall take effect immediately.

On page 1, line 1 of the title, after "substances;" strike the remainder of the title and insert "amending RCW 90.48.315, 90.48.370, 90.48.365, 90.48.380, 90.48.378, 90.48.371, 90.48.373, 90.48.375, 90.48.376, 90.48.377, 90.48.350, 90.48.325, 90.48.383, 90.48.340, 90.48.385, 90.48.510, 88.16.170, 88.16.180, 88.16.200, 88.40.005, 88.40.020, 88.40.030, 88.40.040, 90.48.142, 90.48.366, 90.48.367, 90.48.368, 90.48.400, 90.48.369, 88.44.010, 88.44.020, 88.44.030, 88.44.040, 88.44.080, 88.44.110, 88.44.160, 88.16.010, 88.16.105, 88.16.110, 88.16.155, 90.48.037, 90.48.095, 90.48.100, 90.48.156, 90.48.240, and 90.48.907; amending 1990 c 116 s 1 (uncodified); reenacting and amending RCW 90.48.390 and 88.16.090; adding a new section to chapter 90.48 RCW; adding new sections to chapter 88.16 RCW; adding a new chapter to Title 90 RCW; adding a new chapter to Title 82 RCW; adding a new chapter to Title 43 RCW; adding a new chapter to Title 88 RCW; creating new sections; recodifying RCW 90.48.315, 90.48.370, 90.48.365, 90.48.380, 90.48.378, 90.48.387, 90.48.388, 90.48.371, 90.48.372, 90.48.373, 90.48.374, 90.48.375, 90.48.360, 90.48.376, 90.48.377, 90.48.320, 90.48.350, 90.48.325, 90.48.330, 90.48.335, 90.48.336, 90.48.338, 90.48.383, 90.48.340, 90.48.355, 90.48.343, 90.48.907, 90.48.385, and 90.48.510; repealing RCW 90.48.345, 90.48.381, 90.48.410, 88.40.010, 88.40.050, 90.48.910, 84.44.040, 88.44.050, 88.44.060, and 88.44.070; prescribing penalties; making an appropriation; and declaring an emergency."

Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Phillips; Rust; and Van Luven.

MINORITY recommendation: Do not pass. Signed by Representatives Morton and Silver.

Passed to Committee on Rules for second reading.

March 10, 1991

**HB 1028** Prime Sponsor, Representative Pruitt: Making major changes to air quality laws. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill by Committee on Environmental Affairs be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Revenue:

Strike everything after the enacting clause and insert the following:

"I.

PUBLIC POLICY, FINDINGS, AND INTENT"

NEW SECTION. Sec. 101. The legislature finds that ambient air pollution is the most serious environmental threat in Washington state. Air pollution causes significant harm to human health; damages the environment, including trees, crops, and animals; causes deterioration of equipment and materials; contributes to water pollution; and degrades the quality of life.

Over three million residents of Washington state live where air pollution levels are considered unhealthful. Of all toxic chemicals released into the environment more than half enter our breathing air. Citizens of Washington state spend hundreds of millions of dollars annually to offset health, environmental, and material damage caused by air pollution. The legislature considers such air pollution levels, costs, and damages to be unacceptable.

Sec. 102. RCW 70.94.011 and 1973 1st ex.s. c 193 s 1 are each amended to read as follows:

It is declared to be the public policy ((of the state)) to preserve, protect, and enhance the air quality for current and future generations. Air is an essential resource that must be protected from harmful levels of pollution. Improving air quality is a matter of state-wide concern and is in the public interest. It is the intent of this chapter to secure and maintain ((such)) levels of air quality ((as will)) that protect human health and safety ((and)), including the most sensitive members of the population, to comply with the requirements of the federal clean air act, ((and,)) to ((the greatest degree practicable,)) prevent injury to plant ((and)), animal life, and property, to foster the comfort and convenience of ((its)) Washington's inhabitants, to promote the economic and social development of the state, and to facilitate the enjoyment of the natural attractions of the state. ((The problems and effects of air pollution are frequently regional and interjurisdictional in nature, and are dependent upon the existence of urbanization and industrialization in areas having common topography and recurring weather conditions conducive to the buildup of air contaminants))

It is further the intent of this chapter to protect the public welfare, to preserve visibility, to protect scenic, aesthetic, historic, and cultural values, and to prevent air pollution problems that interfere with the enjoyment of life, property, or natural attractions.

Because of the extent of the air pollution problem the legislature finds it necessary to return areas with poor air quality to levels adequate to protect health and the environment as expeditiously as possible but no later than December 31, 1995. Further, it is the intent of this chapter to prevent any areas of the state with acceptable air quality from reaching air contaminant levels that are not protective of human health and the environment.

The legislature recognizes that air pollution control projects may affect other environmental media. In selecting air pollution control strategies state and local agencies shall support those strategies that lessen the negative environmental impact of the project on all environmental media, including air, water, and land.

The legislature further recognizes that energy efficiency and energy conservation can help to reduce air pollution and shall therefore be considered when making decisions on air pollution control strategies and projects.

It is the policy of the state that the costs of protecting the air resource and operating state and local air pollution control programs shall be shared as equitably as possible among all sources whose emissions cause air pollution.

It is also declared as public policy that regional air pollution control programs are to be encouraged and supported to the extent practicable as essential instruments for the securing and maintenance of appropriate levels of air quality.

~~(It is also declared to be the public policy of the state to provide for the people of the populous metropolitan regions in the state the means of obtaining air pollution control not adequately provided by existing agencies of local government. For reasons of the~~

~~present and potential dramatic growth in population, urbanization, and industrialization, the special problem of air resource management, encompassing both corrective and preventive measures for the control of air pollution cannot be adequately met by the individual towns, cities, and counties of many metropolitan regions.~~

~~In addition, the state is divided into two major areas, each having unique characteristics as to natural climatic and topographic features which may result in the different potentials for the accumulation and buildup of air contaminant concentrations. These two major areas are the area lying west of the Cascade Mountain crest and the area lying east of the Cascade Mountain crest. Within each of these major areas are regions which, because of the climate and topography and present and potential urbanization and industrial development may, through definitive evaluation be classed as regional air pollution areas.))~~

To these ends it is the purpose of this chapter to ((provide for a) safeguard the public interest through an intensive, progressive, and coordinated state-wide program of air pollution prevention and control, to provide for an appropriate distribution of responsibilities, and to encourage coordination and cooperation between the state, regional, and local units of government, ((and for cooperation across jurisdictional lines in dealing with problems of air pollution)) to improve cooperation between state and federal government, public and private organizations, and the concerned individual, as well as to provide for the use of all known, available, and reasonable methods to reduce, prevent, and control air pollution.

The legislature recognizes that the problems and effects of air pollution cross political boundaries, are frequently regional or interjurisdictional in nature, and are dependent upon the existence of human activity in areas having common topography and weather conditions conducive to the buildup of air contaminants. In addition, the legislature recognizes that air pollution levels are aggravated and compounded by increased population, and its consequences. These changes often result in increasingly serious problems for the public and the environment.

The legislature further recognizes that air emissions from thousands of small individual sources are major contributors to air pollution in many regions of the state. As the population of a region grows, small sources may contribute an increasing proportion of that region's total air emissions. It is declared to be the policy of the state to achieve significant reductions in emissions from those small sources whose aggregate emissions constitute a significant contribution to air pollution in a particular region.

It is the intent of the legislature that air pollution goals be incorporated in the missions and actions of state agencies.

Sec. 103. RCW 70.94.030 and 1987 c 109 s 33 are each amended to read as follows:

Unless a different meaning is plainly required by the context, the following words and phrases as hereinafter used in this chapter shall have the following meanings:

(1) "Air contaminant" means dust, fumes, mist, smoke, other particulate matter, vapor, gas, odorous substance, or any combination thereof.

(2) "Air pollution" is presence in the outdoor atmosphere of one or more air contaminants in sufficient quantities and of such characteristics and duration as is, or is likely to be, injurious to human health, plant or animal life, or property, or which unreasonably interfere with enjoyment of life and property.

(3) ~~((("Person" means and includes an individual, firm, public or private corporation, association, partnership, political subdivision, municipality or government agency))~~ "Air quality standard" means an established concentration, exposure time, and frequency of occurrence of an air contaminant or multiple contaminants in the ambient air which shall not be exceeded.

(4) "Ambient air" means the surrounding outside air.

(5) "Authority" means any air pollution control agency whose jurisdictional boundaries are coextensive with the boundaries of one or more counties.

~~((5))~~ (6) "Board" means the board of directors of an authority.

~~((6))~~ (7) "Control officer" means the air pollution control officer of any authority.

~~((7))~~ (8) "Department" means the department of ecology.

(9) "Emission" means a release of air contaminants into the ~~((outdoor atmosphere of air contaminants))~~ ambient air.

~~((8) "Department" means the state department of ecology.~~

~~(9) "Ambient air" means the surrounding outside air.)~~

(10) "Emission standard" means a limitation on the release of an air contaminant or multiple contaminants into the ambient air.

(11) "Multicounty authority" means an authority which consists of two or more counties.

~~((11) "Emission standard" means a limitation on the release of a contaminant or multiple contaminants into the ambient air.~~

~~(12) "Air quality standard" means an established concentration, exposure time and frequency of occurrence of a contaminant or multiple contaminants in the ambient air which shall not be exceeded.~~

~~(13) "Air quality objective" means the concentration and exposure time of a contaminant or multiple contaminants in the ambient air below which undesirable effects will not occur.)~~

(12) "Person" means an individual, firm, public or private corporation, association, partnership, political subdivision of the state, municipality, or governmental agency.

(13) "Silvicultural burning" means burning of wood fiber on forest land consistent with the provisions of section 404 of this act.

"II.

## MOTOR VEHICLES AND FUELS"

Sec. 201. RCW 70.120.010 and 1979 ex.s. c 163 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Department" means the department of ecology.

(2) "Director" means the director of the department of ecology.

(3) "Fleet" means ~~((a group of twenty five or more motor vehicles owned or leased concurrently by one person))~~ a group of fifteen or more motor vehicles registered in the same name and whose owner has been assigned a fleet identifier code by the department of licensing.

(4) "Motor vehicle" means any self-propelled vehicle required to be licensed pursuant to chapter 46.16 RCW.

(5) "Motor vehicle dealer" means a motor vehicle dealer, as defined in RCW 46.70.011, that is licensed pursuant to chapter 46.70 RCW.

(6) "Person" means an individual, firm, public or private corporation, association, partnership, political subdivision of the state, municipality, or governmental agency.

(7) The terms "air contaminant," "air pollution," "air quality standard," "ambient air," "emission," and "emission standard" have the meanings given them in RCW 70.94.030.

Sec. 202. RCW 70.120.020 and 1989 c 240 s 5 are each amended to read as follows:

(1) The department shall conduct ~~((the following programs in a manner that will enhance the successful implementation of the air pollution control system established for motor vehicles by this chapter:~~

(a) A voluntary motor vehicle emissions inspection program;

(b)) a public educational program regarding the health effects of air pollution emitted by motor vehicles; the purpose, operation, and effect of emission control devices and systems; and the effect that proper maintenance of motor vehicle engines has on fuel economy and air pollution emission(~~(-and~~

(e)) and a public notification program identifying the geographic areas of the state that are designated as being noncompliance areas and emission contributing areas and describing the requirements imposed under this chapter for those areas.

(2)(a) The department(~~(, the superintendent of public instruction, and the state board for community college education shall develop cooperatively, after consultation with automotive trades joint apprenticeship committees approved in accordance with RCW 49.04.040, a program for granting)) shall grant certificates of instruction to persons who successfully complete a course of study, under general requirements established by the director, in the maintenance of motor vehicle engines, the use of engine and exhaust analysis equipment, and the repair and maintenance of emission control devices. The director may establish and implement procedures for granting certification to persons who successfully complete other training programs or who have received certification from public and private organizations which meet the requirements established in this subsection, including programs on clean fuel technology and maintenance.~~

(b) The department shall make available to the public a list of those persons who have received certificates of instruction under subsection (2)(a) of this section.

Sec. 203. RCW 70.120.070 and 1989 c 240 c 6 are each amended to read as follows:

(1) Any person:

(a) Whose motor vehicle is tested pursuant to this chapter and fails to comply with the emission standards established for the vehicle; and

(b) Who, following such a test, expends more than four hundred fifty dollars on a (~~(1980 or earlier model year motor vehicle or expends more than one hundred fifty dollars on a 1981 or later model year))~~ motor vehicle for repairs solely devoted to meeting the emission standards and that are performed by a certified emission specialist authorized by RCW 70.120.020(2)(a); and

(c) Whose vehicle fails a retest, may be issued a certificate of acceptance if (i) the vehicle has been in use for more than five years or fifty thousand miles, and (ii) any component of the vehicle installed by the manufacturer for the purpose of reducing emissions, or its appropriate replacement, is installed and operative(~~(-);~~) and

(d) To receive the certificate, the person must document compliance with (b) and (c) of this subsection to the satisfaction of the department.

(2) Persons who fail the initial tests shall be provided with information regarding the availability of federal warranties and certified emission specialists.

NEW SECTION. Sec. 204. (1) A task force is established for the purposes of recommending a program to assist with vehicles failing to comply with emission standards under RCW 70.120.120. The task force shall be appointed by the speaker of house of representatives and the president of the senate and shall consist of:

(a) Two members from the house committee on environmental affairs;

(b) Two members from the senate committee on environment and natural resources; and

(c) Two members from the legislative committee on transportation.

(2) In developing recommendations, the task force shall consult with representatives from the departments of ecology, licensing, social and health services, and revenue, the Washington state patrol, vehicle dealers and manufacturers, auto wreckers, and advocates for low-income persons and senior citizens.

(3) By November 1, 1991, the task force shall report to the appropriate standing committees of the legislature. The report shall recommend methods to:

(a) Use public and private funds to provide credit toward purchasing vehicles ten years or older from persons with vehicles not meeting the emission standards under RCW 70.120.120 for the purpose of permanently removing such vehicles from the road;

(b) Identify persons needing assistance with the provisions of RCW 70.120.120. In identifying such persons, the task force shall give first consideration to persons with an income of less than one hundred fifty percent of the federal poverty level;

(c) Prevent fraud or abuse of the program developed under this section; and

(d) Share the cost of the program with new and used car dealers licensed under chapter 46.70 RCW.

In the event that the task force determines a program to provide credit toward the purchase of older, polluting vehicles, as described under (a) of this subsection, does not provide an adequate benefit to low-income persons, the task force shall include recommendations to provide public funds for the repair of such vehicles.

Sec. 205. RCW 70.120.080 and 1979 ex.s. c 163 s 8 are each amended to read as follows:

The director may authorize an owner or lessee of a fleet of motor vehicles, or the owner's or lessee's agent, to inspect the vehicles in the fleet and issue certificates of compliance for the vehicles in the fleet if the director determines that: (1) The director's ~~((emission and))~~ inspection ~~((standards))~~ procedures will be complied with; and (2) certificates will be issued only to vehicles in the fleet that meet emission and equipment standards adopted under RCW 70.120.150 and only when appropriate.

In addition, the director may authorize an owner or lessee of one or more diesel motor vehicles with a gross vehicle weight rating in excess of eight thousand five hundred pounds, or the owner's or lessee's agent, to inspect the vehicles and issue certificates of compliance for the vehicles. The inspections shall be conducted in compliance with inspection procedures adopted by the department and certificates of compliance shall only be issued to vehicles that meet emission and equipment standards adopted under RCW 70.120.150.

The director shall establish by rule the fee for fleet or diesel inspections provided for in this section. The fee shall be set at an amount necessary to offset the department's cost to administer the fleet and diesel inspection program authorized by this section.

Owners, leaseholders, or their agents conducting inspections under this section shall pay only the fee established in this section and not be subject to fees under RCW 70.120.170(4).

Sec. 206. RCW 70.120.120 and 1989 c 240 s 8 are each amended to read as follows:

The director shall adopt rules implementing and enforcing this chapter ~~((and RCW 46.16.015(2)(g)))~~ in accordance with chapter 34.05 RCW. ~~((Notwithstanding the provisions of chapter 34.05 RCW, any rule implementing and enforcing RCW 70.120.150(5) may not be adopted until it has been submitted to the standing committees on ecology of the house of representatives and senate for review and approval.))~~ The ~~((standing committees))~~ department shall take into account when considering proposed modifications of emission contributing boundaries, as provided for in RCW 70.120.150(5), alternative ~~((plans for traffic rerouting and traffic bans))~~ transportation control and motor vehicle emission reduction measures that ~~((may have been prepared))~~ are required by local municipal corporations for the purpose of satisfying federal emission guidelines.

Sec. 207. RCW 70.120.150 and 1989 c 240 s 2 are each amended to read as follows:

The director:

(1) Shall adopt motor vehicle emission and equipment standards to: Ensure that no less than seventy percent of the vehicles tested comply with the standards on the first inspection conducted, meet federal clean air act requirements, and protect human health and the environment.

(2) Shall establish, by rule, an emission standard and a test methodology to accurately measure the opacity of emissions from diesel engines. The emission standard adopted by the department shall ensure that properly maintained engines comply with the standards on the first inspection conducted.

(3) Shall designate a geographic area as being a "noncompliance area" for motor vehicle emissions if (a) the department's analysis of ~~((the))~~ emission and ambient air quality data, ~~((recorded for))~~ covering a period of no less than one year, ~~((at the monitoring sites))~~ indicates that the standard has or will probably be exceeded, and (b) the department determines that the primary source of the air contaminant ~~((being monitored at the sites))~~ is motor vehicle emissions.

~~((3))~~ (4) Shall reevaluate noncompliance areas if the United States environmental protection agency modifies the relevant air quality standards, and shall discontinue the program if compliance is indicated and if the department determines that the area would continue to be in compliance after the program is discontinued. The director shall notify persons residing in noncompliance areas of the reevaluation.

~~((4))~~ (5) Shall analyze information regarding the motor vehicle traffic in a noncompliance area to determine the smallest land area within whose boundaries are present registered motor vehicles that contribute significantly to the violation of motor vehicle-related air quality standards in the noncompliance area. The director shall declare the area to be an "emission contributing area." An emission contributing area established for a carbon monoxide or oxides of nitrogen noncompliance area must contain the noncompliance area within its boundaries. An emission contributing area established for an ozone noncompliance area located in this state need not contain the ozone noncompliance area within its boundaries if it can be proven that vehicles registered in the area contribute significantly to violations of the ozone air quality standard in the noncompliance area. An emission contributing area may be established in this state for violations of federal air quality standards for ozone in an adjacent state if (a) the United States environmental protection agency designates an area to be a "nonattainment area for ozone" under the provisions of the federal Clean Air Act (42 U.S.C. 7401 et. seq.), and (b) ~~((the nonattainment area encompasses portions of both Washington and the adjacent state, and (c))~~ it can be proven that vehicles registered in this state contribute significantly to the violation of the federal air quality standards for ozone in the adjacent state's ~~((portion of the))~~ nonattainment area.

~~((5))~~ (6) Shall, after consultation with the appropriate local government entities, designate areas as being noncompliance areas or emission contributing areas, and shall establish the boundaries of such areas by rule. The director may also modify boundaries. In establishing the external boundaries of an emission contributing area, the director shall use the boundaries established for ZIP code service areas by the United States postal service.

~~((6))~~ (7) May make grants to units of government in support of planning efforts to reduce motor vehicle emissions ~~((in areas where emission control inspections are not required)).~~

Sec. 208. RCW 70.120.170 and 1989 c 240 s 4 are each amended to read as follows:

(1) The department shall administer a system for ~~((biennial))~~ emission inspections ~~((of emissions))~~ of all motor vehicles registered within the boundaries of each emission contributing area. ~~((Persons residing within the boundaries of an emission contributing area shall register their motor vehicle within that area, unless business reasons require registration outside the area. Requests for exemption from inspection for business reasons shall be reviewed and approved by the director))~~ Under such system a motor vehicle shall be inspected biennially except where an annual program would be required to meet federal law and prevent federal sanctions. In addition, motor vehicles shall be inspected at each change of registered owner.

(2) The director shall:

(a) Adopt procedures for conducting emission ~~((tests for))~~ inspections of motor vehicles. The ~~((tests shall))~~ inspections may include idle and high revolution per minute emission tests. The emission test for diesel vehicles shall consist solely of a smoke opacity test.

(b) Adopt criteria for calibrating emission testing equipment. Electronic equipment used to test for emissions standards provided for in this chapter shall be properly calibrated. The department shall examine frequently the calibration of the emission testing equipment used at the stations.

(c) Authorize, through contracts, the establishment and operation of inspection stations for conducting ~~((the))~~ vehicle emission ~~((tests))~~ inspections authorized in this chapter. No person contracted to inspect motor vehicles may perform for compensation repairs on any vehicles. No public body may establish or operate contracted inspection stations. Any contracts must be let in accordance with the procedures established for competitive bids in chapter 43.19 RCW.

(3) Subsection (2)(c) of this section does not apply to volunteer motor vehicle inspections under RCW 70.120.020(1)(a) if the inspections are conducted for the following purposes:

- (a) Auditing;
- (b) Contractor evaluation;
- (c) Collection of data for establishing calibration and performance standards; or
- (d) Public information and education.

(4)(a) The director shall establish by rule the fee to be charged for emission inspections. The inspection fee shall be a standard fee applicable state-wide or throughout an emission contributing area and shall be no greater than eighteen dollars. Surplus moneys collected from fees over the amount due the contractor shall be paid to the state and deposited in the general fund. Fees shall be set at the minimum whole dollar amount required to (i) compensate the contractor or inspection facility owner, and (ii) offset the general fund appropriation to the department to cover the administrative costs of the motor vehicle emission inspection program.

(b) Before each inspection, a person whose motor vehicle is to be inspected shall pay to the inspection station the fee established under this section. The person whose motor vehicle is inspected shall receive the results of the inspection ~~((test))~~. If the inspected ~~((vehicle's emissions comply))~~ vehicle complies with the standards established by the director, the person shall receive a dated certificate of compliance. If the inspected ~~((vehicle's emissions do))~~ vehicle does not comply with those standards, one ~~((retest of the vehicle's emission))~~ reinspection of the vehicle shall be afforded without charge. All fee proceeds shall be deposited into the emission inspection fee account, which is hereby created in the custody of the state treasurer. Expenditures from the account may be used only for contractor reimbursement. Only the director of ecology or the director's designee may authorize expenditures from the account. Quarterly the director shall transfer to the general fund that portion of the account that is not needed for contractor reimbursement.

(5) All units of local government and agencies of the state with motor vehicles garaged or regularly operated in an emissions contributing area shall test the emissions of those vehicles ~~((biennially))~~ annually to ensure that the vehicle's emissions comply with the emission standards established by the director. All state agencies outside of emission contributing areas with more than twenty motor vehicles housed at a single facility or contiguous facilities shall test the emissions of those vehicles annually to ensure that the vehicles' emissions comply with standards established by the director. A report of the results of the tests shall be submitted to the department.

Sec. 209. RCW 46.16.015 and 1990 c 42 s 318 are each amended to read as follows:

(1) Neither the department of licensing nor its agents may issue or renew a motor vehicle license for any vehicle (~~registered in an emission contributing area, as that area is established under chapter 70.120 RCW~~) or change the registered owner, for any (~~year in which the~~) vehicle that is required to be (~~tested~~) inspected under chapter 70.120 RCW, unless the application for issuance or renewal is: (a) Accompanied by a valid certificate of compliance or a valid certificate of acceptance issued pursuant to chapter 70.120 RCW and the inspection fee established by the director of ecology or proof of payment; or (b) exempted from this requirement pursuant to subsection (2) of this section. The certificates must have a date of validation which is within (~~ninety days~~) six months of the date of application for the vehicle license or license renewal. Certificates for fleet or owner tested diesel vehicles may have a date of validation which is within twelve months of the assigned license renewal date.

(2) Subsection (1) of this section does not apply to the following vehicles:

(a) New motor vehicles whose equitable or legal title has never been transferred to a person who in good faith purchases the vehicle for purposes other than resale;

(b) Motor vehicles with a model year of 1967 or earlier;

(c) Motor vehicles that use propulsion units powered exclusively by electricity;

(d) Motor vehicles fueled (~~exclusively~~) by propane, compressed natural gas, or liquid petroleum gas, unless it is determined that federal sanctions will be imposed as a result of this exemption;

(e) Motorcycles as defined in RCW 46.04.330 and motor-driven cycles as defined in RCW 46.04.332;

(f) (~~Motor vehicles powered by diesel engines;~~

~~(g))~~ Farm vehicles as defined in RCW 46.04.181; or

~~((h) Used vehicles which are offered for sale by a motor vehicle dealer licensed under chapter 46.70 RCW; or~~

~~(i))~~ (g) Motor vehicles exempted by the director of the department of ecology.

The provisions of subparagraph (a) of this subsection may not be construed as exempting from the provisions of subsection (1) of this section applications for the renewal of licenses for motor vehicles that are or have been leased.

(3) (~~The department of licensing shall mail to each owner of a vehicle registered within an emission contributing area a notice regarding the boundaries of the area and restrictions established under this section that apply to vehicles registered in such areas. The information for the notice shall be supplied to the department of licensing by the department of ecology.~~) The department of ecology shall provide information to motor vehicle owners regarding the boundaries of emission contributing areas and restrictions established under this section that apply to vehicles registered in such areas. In addition the department of ecology shall provide information to motor vehicle owners on the relationship between motor vehicles and air pollution and steps motor vehicle owners should take to reduce motor vehicle related air pollution. The department of licensing shall send to all registered motor vehicle owners (~~who reside within the emissions area~~) affected by the emission testing program notice that they must have an emission test to renew their registration.

NEW SECTION. Sec. 210. A new section is added to chapter 70.120 RCW to read as follows:

By July 1, 1992, the department shall develop, in cooperation with the departments of general administration and transportation, and the state energy office, aggressive clean-fuel performance and clean-fuel vehicle emissions specifications. To the extent possible, such specifications shall be equivalent for all fuel types. In developing such specifications the department shall consider the requirements of the clean air act and the findings of the environmental protection agency, other states, the American petroleum institute, the gas research institute, and the motor vehicles manufacturers association.

NEW SECTION. Sec. 211. A new section is added to chapter 43.19 RCW to read as follows:

(1) At least thirty percent of all new vehicles purchased through a state contract shall be clean-fuel vehicles. This requirement shall take effect within twelve months of the time that two or more manufacturers produce clean-fuel vehicles in the same weight class.

(2) The percentage of clean-fuel vehicles purchased through a state contract shall increase at the rate of five percent each year.

(3) In meeting the procurement requirement established in this section, preference shall be given to vehicles designed to operate exclusively on clean fuels. Clean-fuel vehicles capable of operating on other than clean fuels shall be considered equivalent to one-half of a clean-fuel vehicle for the purposes of meeting the procurement requirements of this section.

(4) Fuel purchased through a state contract shall be a clean fuel when the fuel is purchased for the operation of a clean-fuel vehicle.

(5)(a) Weight classes are established by the following motor vehicle types:

(i) Passenger cars;

(ii) Light duty trucks, trucks with a gross vehicle weight rating by the vehicle manufacturer of less than eight thousand five hundred pounds;

(iii) Heavy duty trucks, trucks with a gross vehicle weight rating by the vehicle manufacturer of eight thousand five hundred pounds or more.

(b) This subsection does not place an obligation upon the state or its political subdivisions to purchase vehicles in any number or weight class other than to meet the thirty percent requirement.

(6) For the purposes of this section, "clean fuels" and "clean-fuel vehicles" shall be those fuels and vehicles meeting the specifications provided for in section 210 of this act.

NEW SECTION. Sec. 212. The superintendent of public instruction, in coordination with the Washington state energy office, department of ecology, and selected local school districts that are using or considering the use of compressed natural gas, shall analyze and report on the potential benefits, costs, and safety risks associated with increasing the use of compressed natural gas as a fuel for school buses.

The report shall address:

(1) The anticipated actual operation and maintenance costs of using compressed natural gas buses versus diesel fuel or gasoline buses;

(2) Factors affecting the safety of passengers, drivers, mechanics, and other persons in using compressed natural gas buses versus diesel fuel and gasoline buses;

(3) Capital costs, including:

(a) The availability and capital cost of purchasing new compressed natural gas buses;

(b) The feasibility and capital cost of retrofitting diesel and gasoline buses; and

(c) Capital costs associated with fuel storage and refueling;

(4) Other considerations, including air quality benefits, necessary to determine the overall costs, problems, and benefits of increasing the use of compressed natural gas as a fuel for school buses.

The report shall be submitted to the education committees of the house of representatives and the senate by December 15, 1991.

NEW SECTION. Sec. 213. A new section is added to chapter 70.120 RCW to read as follows:

The department, in cooperation with the departments of general administration and transportation, the utilities and transportation commission, and the state energy office, shall biennially prepare a report to the legislature starting July 1, 1992, on:

(1) Progress of clean fuel and clean-fuel vehicle programs in reducing automotive emissions;

(2) Recommendations for enhancing clean-fuel distribution systems;

(3) Efforts of the state, units of local government, and the private sector to evaluate and utilize "clean fuel" or "clean-fuel vehicles"; and

(4) Recommendations for changes in the existing program to make it more effective and, if warranted, for expansion of the program.

NEW SECTION. Sec. 214. A new section is added to chapter 80.28 RCW to read as follows:

The legislature finds that compressed natural gas offers significant potential to reduce vehicle emissions and to significantly decrease dependence on petroleum-based fuels. The legislature also finds that well-developed and convenient refueling systems are imperative if compressed natural gas is to be widely used by the public. The legislature declares that the development of compressed natural gas refueling stations are in the public interest.

NEW SECTION. Sec. 215. A new section is added to chapter 80.28 RCW to read as follows:

The commission shall identify barriers to the development of refueling stations for vehicles operating on compressed natural gas, and shall develop policies to remove such barriers. In developing such policies, the commission shall consider providing rate incentives to encourage natural gas companies to invest in the infrastructure required by such refueling stations.

NEW SECTION. Sec. 216. A new section is added to chapter 70.94 RCW to read as follows:

The department may disburse matching grants from funds provided by the legislature from the air pollution control account, created in section 245 of this act, to units of local government to partially offset the additional cost of purchasing "clean fuel" and/or operating "clean-fuel vehicles" provided that such vehicles are used for public transit. The department may also disburse grants to vocational-technical institutes for the purpose of establishing programs to certify clean-fuel vehicle mechanics.

NEW SECTION. Sec. 217. A new section is added to chapter 70.94 RCW to read as follows:

No state agency, metropolitan planning organization, or local government shall approve or fund a transportation plan, program, or project unless a determination has been made that the plan, program, or project conforms with the state implementation plan for air quality.

(1) "Conformity to the state implementation plan" means:

(a) Conformity to the state implementation plan's purpose of eliminating or reducing the severity and number of violations of the national ambient air quality standards and achieving expeditious attainment of such standards; and

(b) Ensuring that a proposed transportation plan, program, or project will not:

(i) Cause or contribute to any new violation of any standard in any area;

(ii) Increase the frequency or severity of any existing violation of any standard in any area; or

(iii) Delay timely attainment of any standard or any required interim emission reductions or other milestones in any area.

Conformity determination shall be made by the state or local government or metropolitan planning organization administering or developing the plan, program, or project. The determination of conformity shall be based on the most recent estimates of emissions, and such estimates shall be determined from the most recent population, employment, travel, and congestion estimates as determined by the metropolitan planning organization or other agency authorized to make such estimates.

(2) Plans and programs conform if:

(a) Emissions resulting from such plans and programs are consistent with baseline emission inventories and emission reduction projections and schedules assigned to those plans and programs in the state implementation plan; and

(b) The plans and programs provide for the timely implementation of the transportation provisions in the approved or promulgated state implementation plan.

(3) A project conforms if:

(a) It is a control measure from the state implementation plan; or

(b) It comes from a conforming plan and program, and the design and scope of such project has not changed significantly since the plan and program from which the project derived was found to conform.

(c) A project other than one referred to in (a) and (b) of this subsection conforms if it is demonstrated that the project either does not contribute to increased emissions in the nonattainment area, or that offsetting emission reductions for the project are specifically provided for in the transportation plan and program, or are otherwise enforceable through the state implementation plan, before the project is approved.

(d) No later than eighteen months after the effective date of this section, the director of the department of ecology and the secretary of transportation, in consultation with other state, regional, and local agencies as appropriate, shall adopt by rule criteria and guidance for demonstrating and assuring conformity of plans, programs, and projects.

(4) A project with a scope that is limited to preservation or maintenance, or both, shall be exempted from a conformity determination requirement.

NEW SECTION. Sec. 218. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Phase 1 major employer" means a private or public employer that employs one hundred or more full-time employees at a single work site who begin their regular work day between 6:00 a.m. and 10:00 a.m. on weekdays for at least six continuous months during the year.

(2) "Phase 2 major employer" means a private or public employer that employs fifty to ninety-nine full-time employees at a single work site who begin their regular work day between 6:00 a.m. and 10:00 a.m. on weekdays for at least six continuous months during the year.

(3) "Major work site" means a building or group of buildings that are on physically contiguous parcels of land or on parcels separated solely by private or public roadways or rights of way, and at which there are fifty or more full-time equivalent employees of one or more employers, who begin their regular work day between 6:00 a.m. and 10:00 a.m. on weekdays, for at least six continuous months.

(4) "Commute trip reduction zones" mean areas, such as census tracts or combinations of census tracts, within a jurisdiction that are characterized by similar employment density, population density, level of transit service, parking availability, access to high occupancy vehicle facilities, and other factors that are determined to affect the level of single occupancy vehicle commuting.

(5) "Commute trip" means trips made from a worker's home to a work site during the peak period of 6:00 a.m. to 10:00 a.m. on weekdays.

(6) "Proportion of single occupant vehicle commute trips" means the number of commute trips made by single occupant automobiles divided by the number of full-time equivalent employees.

(7) "Commute trip vehicle miles traveled per employee" means the sum of the individual vehicle commute trip lengths in miles over a set period divided by the number of full-time equivalent employees during that period.

(8) "Base year" means the year January 1, 1992, through December 31, 1992, on which goals for vehicle miles traveled and single occupant vehicle trips shall be based. Base year goals may be determined using the 1990 journey-to-work census data projected to the year 1992 and shall be consistent with chapter 17, Laws of 1990 1st ex.s. The task

force shall establish a method to be used by jurisdictions to determine reductions of vehicle miles traveled.

**NEW SECTION.** Sec. 219. (1) Each county with a population over one hundred fifty thousand, and each city or town within those counties containing a phase 1 major employer shall, by July 1, 1992, adopt by ordinance and implement a commute trip reduction plan for all phase 1 employers. Each county with a population over one hundred fifty thousand, and each city or town within those counties containing a phase 2 major employer shall, by July 1, 1994, adopt by ordinance and implement a commute trip reduction plan for all phase 2 employers. The plan shall be developed in cooperation with local transit agencies, regional transportation planning organizations as established in RCW 47.80.020, phase 1 or phase 2 major employers, and the owners of and employers at major work sites. The plan shall be designed to achieve reductions in the proportion of single occupant vehicle commute trips and the commute trip vehicle miles traveled per employee by employees of phase 1 and phase 2 major public and private sector employers in the jurisdiction.

(2) All other counties, and cities and towns in those counties, may adopt and implement a commute trip reduction plan.

(3) The department of ecology may, after consultation with the state energy office, as part of the state implementation plan for areas that do not attain the national ambient air quality standards for carbon monoxide or ozone, require municipalities other than those identified in subsection (1) of this section to adopt and implement commute trip reduction plans if the department determines that such plans are necessary for attainment of said standards.

(4) A commute trip reduction plan shall be consistent with the guidelines established under section 222 of this act and shall include but is not limited to (a) goals for reductions in the proportion of single occupant vehicle commute trips and the commute trip vehicle miles traveled per employee; (b) designation of commute trip reduction zones; (c) requirements for major public and private sector employers to implement commute trip reduction programs; (d) a commute trip reduction program for employees of the county, city, or town; (e) a review of local parking policies and ordinances as they relate to employers and major work sites and any revisions necessary to comply with commute trip reduction goals and guidelines; and (f) means for determining base year values of the proportion of single occupant vehicle commute trips and the commute trip vehicle miles traveled per employee and progress toward meeting commute trip reduction plan goals on an annual basis. Goals which are established shall take into account existing transportation demand management efforts which are made by phase 1 and phase 2 major employers. The goals for miles traveled per employee for all phase 1 employers shall not be less than a fifteen percent reduction from the base year value of the commute trip reduction zone in which their work site is located by January 1, 1994, twenty-five percent reduction from the base year values by January 1, 1996, and thirty-five percent reduction from the base year values by January 1, 1998. The goals for miles traveled per employee for all phase 2 employers shall not be less than a fifteen percent reduction from the base year values of the commute trip reduction zone in which their work site is located by January 1, 1996, twenty-five percent reduction from the base year values by January 1, 1998, and thirty-five percent reduction from the base year values by January 1, 2000.

(5) A county, city, or town may, as part of its commute trip reduction plan, require commute trip reduction programs for other than phase 1 and phase 2 major employers for major work sites if the county, city, or town determines such programs are necessary to address local transportation or air quality problems.

(6) The commute trip reduction plans adopted by counties, cities, and towns under this chapter shall be consistent with and may be incorporated in applicable state or regional transportation plans and local comprehensive plans and shall be coordinated, and consistent with, the commute trip reduction plans of counties, cities, or towns with which

the county, city, or town has, in part, common borders or related regional issues. Counties, cities, or towns adopting commute trip reduction plans may enter into agreements through the interlocal cooperation act with other jurisdictions, local transit agencies, or regional transportation planning organizations to coordinate the development and implementation of such plans. Counties, cities, or towns adopting a commute trip reduction plan shall review it annually and revise it as necessary to be consistent with applicable plans developed under RCW 36.70A.070.

(7) Each county, city, or town implementing a commute trip reduction program shall, by July 15, 1992, for phase 1 employers and by July 15, 1994, for phase 2 employers submit a summary of its plan along with certification of adoption to the commute trip reduction task force established under section 222 of this act.

(8) Each county, city, or town implementing a commute trip reduction program shall submit an annual progress report to the commute trip reduction task force established under section 222 of this act. The report shall be due July 1, 1993, and each July 1 thereafter through July 1, 2000. The report shall describe progress in attaining the applicable commute trip reduction goals for each commute trip reduction zone and shall highlight any problems being encountered in achieving the goals. The information shall be reported in a form established by the commute trip reduction task force.

(9) Each county, city, or town implementing a commute trip reduction program shall count commute trips eliminated through work-at-home options or alternative work schedules as one and two-tenths vehicle trips eliminated for the purpose of meeting trip reduction goals.

(10) Plans implemented under this section shall not apply to commute trips for seasonal agricultural employees.

**NEW SECTION.** Sec. 220. (1) Not more than six months after the adoption of the commute trip reduction plan by a jurisdiction, each phase 1 and phase 2 major employer in that jurisdiction shall develop a commute trip reduction program and shall submit a description of that program to the jurisdiction for review. The program shall be implemented not more than six months after submission to the jurisdiction.

(2) A commute trip reduction program shall consist of, at a minimum (a) designation of an on-site transportation coordinator; (b) regular distribution of information to employees regarding alternatives to single occupant vehicle commuting; (c) an annual review of employee commuting and reporting of progress toward meeting the single occupant vehicle reduction goals to the county, city, or town consistent with the method established in the commute trip reduction plan; and (d) implementation of a set of measures designed to achieve the applicable commute trip reduction goals adopted by the jurisdiction. Such measures may include but are not limited to:

(i) Provision of preferential parking or reduced parking charges, or both, for high occupancy vehicles;

(ii) Instituting or increasing parking charges for single occupant vehicles;

(iii) Provision of commuter ride matching services to facilitate employee ridesharing for commute trips;

(iv) Provision of subsidies for transit fares;

(v) Provision of vans for van pools;

(vi) Provision of subsidies for car pooling or van pooling;

(vii) Permitting the use of the employer's vehicles for car pooling or van pooling;

(viii) Permitting flexible work schedules to facilitate employees' use of transit, car pools, or van pools;

(ix) Cooperation with transportation providers to provide additional regular or express service to the work site;

(x) Construction of special loading and unloading facilities for transit, car pool, and van pool users;

(xi) Provision of bicycle parking facilities, lockers, changing areas, and showers for employees who bicycle or walk to work;

(xii) Provision of a program of parking incentives such as a rebate for employees who do not use the parking facility;

(xiii) Establishment of a program to permit employees to work part or full time at home or at an alternative work site closer to their homes;

(xiv) Establishment of a program of alternative work schedules such as compressed work week schedules which reduce commuting; and

(xv) Implementation of other measures designed to facilitate the use of high occupancy vehicles such as on-site day care facilities and emergency taxi services.

(3) Employers or owners of work sites may form or utilize existing transportation management associations to assist members in developing and implementing commute trip reduction programs.

**NEW SECTION.** Sec. 221. (1) Each jurisdiction implementing a commute trip reduction plan under this chapter or as part of a plan or ordinance developed under RCW 36.70A.070 shall review each employer's initial commute trip reduction program to determine if the program is likely to meet the applicable commute trip reduction goals. The employer shall be notified by the jurisdiction of its findings. If the jurisdiction finds that the program is not likely to meet the applicable commute trip reduction goals, the jurisdiction will work with the employer to modify the program as necessary. The jurisdiction shall complete review of each employer's initial commute trip reduction program within six months of receipt.

(2) Each jurisdiction shall annually review each employer's progress toward meeting the applicable commute trip reduction goals. If it appears an employer is not likely to meet the applicable commute trip reduction goals, the jurisdiction shall work with the employer to make modifications to the commute trip reduction program.

(3) If an employer fails to meet the applicable commute trip reduction goals, the jurisdiction shall propose modifications to the program and direct the employer to revise its program within thirty days to incorporate those modifications or modifications which the jurisdiction determines to be equivalent.

(4) Each jurisdiction implementing a commute trip reduction plan pursuant to this chapter may impose civil penalties, in the manner provided in chapter 7.80 RCW, for failure by an employer to implement a commute trip reduction program or to modify its commute trip reduction program as required in subsection (3) of this section.

**NEW SECTION.** Sec. 222. (1) A commute trip reduction task force shall be established by the state energy office. The task force shall be composed of one representative from the state energy office who shall serve as chair; one representative from each of the departments of transportation, ecology, community development, and general administration; three representatives from counties, based on recommendations from the Washington state association of counties; three representatives from cities or towns, based on recommendations from the association of Washington cities; three representatives from transit agencies recommended by Washington state transit association; three interested citizens; and six representatives from major employers. The task force shall be dissolved on July 1, 2000.

(2) By January 1, 1992, the commute trip reduction task force shall establish guidelines for commute trip reduction plans. The guidelines are intended to ensure consistency in commute trip reduction plans and goals among jurisdictions while fairly taking into account differences in employment and housing density, employer size, existing and anticipated levels of transit service, and other factors the task force determines to be relevant. The guidelines shall include criteria for establishing commute trip reduction zones, allowances for employers that have implemented trip reduction programs prior to the base year, and the information requirements for determining progress in meeting the commute trip reduction goals. The task force may also develop

alternative but equivalent trip reduction criteria for phase 1 and phase 2 major employers, which cannot meet the goals of this chapter because of the unique nature of their business. The task force may develop alternate but equivalent criteria for major employers whose major work sites change, and who contribute substantially to traffic congestion in a trip reduction zone.

(3) The task force shall review the costs and benefits of commute trip plans and programs and shall make recommendations to the legislature by December 1, 1993, December 1, 1995, December 1, 1997, and December 1, 1999. In assessing the costs and benefits, the task force shall also consider the costs of not having implemented commute trip reduction plans and programs. The recommendations shall address the need for continuation, modification, or termination of any or all requirements of this chapter.

**NEW SECTION.** Sec. 223. (1) A technical assistance team shall be established under the direction of the state energy office and include representatives of the departments of transportation and ecology. The team shall provide staff support to the commute trip reduction task force in carrying out the requirements of section 222 of this act and to the department of general administration in carrying out the requirements of section 226 of this act.

(2) The team shall provide technical assistance to counties, cities, and towns, the department of general administration, other state agencies, and other employers in developing and implementing commute trip reduction plans and programs. The technical assistance shall include: (a) Guidance in determining base and subsequent year values of single occupant vehicle commuting proportion and commute trip reduction vehicle miles traveled to be used in determining progress in attaining plan goals; (b) developing model plans and programs appropriate to different situations; and (c) providing consistent training and informational materials for the implementation of commute trip reduction programs. Model plans and programs, training, and informational materials shall be developed in cooperation with representatives of local governments, transit agencies, and employers.

**NEW SECTION.** Sec. 224. A portion of the funds made available under section 245 of this act shall be used to fund the commute trip reduction task force, the interagency technical assistance team, and counties, cities, and towns implementing commute trip reduction plans. Funds shall be provided to the counties in proportion to the number of major employers and major work sites in each county. The counties shall provide funds to cities and towns within the county which are implementing commute trip reduction plans in proportion to the number of major employers and major work sites within the city or town.

**NEW SECTION.** Sec. 225. The legislature hereby recognizes the state's crucial leadership role in establishing and implementing effective commute trip reduction programs. Therefore, it is the policy of the state that the department of general administration and other state agencies shall aggressively develop substantive programs to reduce commuter trips by state employees. Implementation of these programs will reduce energy consumption, congestion in urban areas, and air and water pollution associated with automobile travel.

**NEW SECTION.** Sec. 226. (1) The director of general administration, with the concurrence of an interagency task force established for the purposes of this section, shall coordinate a commute trip reduction plan for state agencies which are phase 1 major employers by July 1, 1992, and for state agencies which are phase 2 major employers by July 1, 1994. The task force shall include representatives of the state energy office, the departments of transportation and ecology, and such other departments as the director of general administration determines to be necessary to be generally representative of state agencies. The state agency plan shall be consistent with the requirements of sections 219 and 220 of this act and shall be developed in consultation with state employees, local and regional governments, local transit agencies, the business community, and other interested

groups. The plan shall consider and recommend policies applicable to all state agencies including but not limited to policies regarding parking and parking charges, employee incentives for commuting by other than single occupant automobiles, flexible and alternative work schedules, alternative work sites, and the use of state-owned vehicles for car and van pools. The plan shall also consider the costs and benefits to state agencies of achieving commute trip reductions and consider mechanisms for funding state agency commute trip reduction programs. The department shall, by July 15, 1992, for phase 1 major employers and by July 15, 1994, for phase 2 major employers submit a summary of its plan along with certification of adoption to the commute trip reduction task force established under section 222 of this act.

(2) Not more than three months after the adoption of the commute trip reduction plan, each state agency shall, for each facility which is a phase 1 or phase 2 major employer, develop a commute trip reduction program. The program shall be designed to meet the goals of the commute trip reduction plan of the county, city, or town or, if there is no local commute trip reduction plan, the state. The program shall be consistent with the policies of the state commute trip reduction plan and section 220 of this act. The agency shall submit a description of that program to the local jurisdiction implementing a commute trip reduction plan or, if there is no local commute trip reduction plan, to the department of general administration. The program shall be implemented not more than three months after submission to the department. Annual reports required in section 220(2)(c) of this act shall be submitted to the local jurisdiction implementing a commute trip reduction plan and to the department of general administration. An agency which is not meeting the applicable commute trip reduction goals shall, to the extent possible, modify its program to comply with the recommendations of the local jurisdiction or the department of general administration.

(3) State agencies sharing a common location may develop and implement a joint commute trip reduction program or may delegate the development and implementation of the commute trip reduction program to the department of general administration.

(4) The department of general administration in consultation with the state technical assistance team shall review the initial commute trip reduction program of each state agency subject to the commute trip reduction plan for state agencies to determine if the program is likely to meet the applicable commute trip reduction goals and notify the agency of any deficiencies. If it is found that the program is not likely to meet the applicable commute trip reduction goals, the team will work with the agency to modify the program as necessary.

(5) For each agency subject to the state agency commute trip reduction plan, the department of general administration in consultation with the technical assistance team shall annually review progress toward meeting the applicable commute trip reduction goals. If it appears an agency is not meeting or is not likely to meet the applicable commute trip reduction goals, the team shall work with the agency to make modifications to the commute trip reduction program.

(6) The department of general administration shall submit an annual progress report for state agencies subject to the state agency commute trip reduction plan to the commute trip reduction task force established under section 222 of this act. The report shall be due April 1, 1993, and each April 1 through 2000. The report shall report progress in attaining the applicable commute trip reduction goals for each commute trip reduction zone and shall highlight any problems being encountered in achieving the goals. The information shall be reported in a form established by the commute trip reduction task force.

NEW SECTION. Sec. 227. Sections 218 through 226 of this act shall constitute a new chapter in Title 70 RCW.

NEW SECTION. Sec. 228. The long-range health and environmental goals for the state of Washington require the protection of the state's air quality for the health, safety,

and enjoyment of its people. It is the purpose of this chapter to encourage the purchase of efficient, low emission motor vehicles.

**NEW SECTION.** Sec. 229. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Motor vehicle" means all motor vehicles of the type designed primarily to be used upon the public streets and highways, for the convenience or pleasure of the owner, or for the conveyance, for hire or otherwise, of persons or property, including automobiles, light trucks, fixed loads and facilities for human habitation; but shall not include (a) dock and warehouse tractors and their cars or trailers, lumber carriers of the type known as spiders, and all other automotive equipment not designed primarily for use upon public streets, or highways, (b) mobile home and travel trailers as defined in RCW 82.50.010, (c) farm vehicles as defined in RCW 46.04.181, (d) vehicles carrying exempt licenses, (e) semitrailers as defined in RCW 46.04.530, (f) trailers as defined in RCW 46.04.620, or (g) motor vehicles owned by nonresident military personnel of the armed forces of the United States stationed in the state of Washington provided personnel were also nonresident at the time of their entry into military service.

(2) "New motor vehicle dealer" means the initial retail seller of motor vehicles as defined in subsection (1) of this section.

**NEW SECTION.** Sec. 230. An excise tax is imposed on the privilege of selling by manufacturers or the distribution companies of manufacturers new motor vehicles to the new motor vehicle dealers in the state. The excise tax shall be an amount computed by section 231 of this act.

**NEW SECTION.** Sec. 231. (1) The tax under section 230 of this act will be based on a vehicle's emissions of hydrocarbons, carbon monoxide, oxides of nitrogen, and carbon dioxide weighted by the estimated emissions control costs, relative to the weighted emissions of other new motor vehicles in the class. The state energy office shall establish for each new motor vehicle class a standard acceptable weighted emission quantity for the state equal to one hundred fifteen percent of the average weighted emissions quantity for new motor vehicles in the class. The tax for each new vehicle exceeding the standard established by the state energy office shall be one hundred twenty-five dollars. In calculating the acceptable weighted emission standard for each class of motor vehicle, the state energy office shall, in consultation with the department of ecology, utilize estimated control costs for each pollutant and emission, and fuel economy as provided by the manufacturer. The standard shall be established annually, in order to incorporate new information on emissions and control costs. This tax shall be adjusted annually to account for inflation as determined by the state office of the economic and revenue forecast council.

(2) The manufacturers of motor vehicles sold in the state shall, by July 1 of each year, submit to the energy office the emissions of hydrocarbons, carbon monoxide, oxides of nitrogen, and fuel economy of vehicles manufactured by them for the following model year as provided to the United States environmental protection agency.

(3) The tax on new motor vehicles for which the emissions and fuel economy statements are not submitted to the energy office shall be one hundred twenty-five dollars.

**NEW SECTION.** Sec. 232. The excise tax imposed by section 230 of this act is due and payable by the vehicle manufacturer or the distribution company of a vehicle manufacturer to the department of revenue or its agents quarterly as determined by the department of revenue. Automobiles and light trucks with a gross vehicle weight less than eight thousand five hundred pounds and trucks with gross weight greater than eight thousand five hundred pounds shall each be considered separate classes for the purposes of the emissions fee imposed by section 230 of this act.

**NEW SECTION.** Sec. 233. Chapter 82.32 RCW applies to the tax imposed by this chapter, in addition to any other provisions of law for the payment and enforcement of

the tax imposed by this chapter. The department of revenue shall by rule provide for the effective administration of this chapter.

**NEW SECTION.** Sec. 234. The state energy office shall publish annually, by September 1, for each new automobile and truck make, model, body type, engine type, and displacement and transmission type, the state acceptable weighted emissions quantity for that vehicle; and whether the vehicle is subject to the excise tax. This information shall be distributed to all new motor vehicle dealers along with a form for display of this information. New motor vehicle dealers shall prominently display this information for each vehicle using the prescribed form.

**NEW SECTION.** Sec. 235. (1) Credit shall be allowed, in accordance with rules of the department, against the taxes imposed in this chapter for any emissions tax paid to another state with respect to the same new motor vehicle. The amount of the credit shall not exceed the tax liability arising under this chapter with respect to that new motor vehicle.

(2) For purposes of this section:

(a) An emissions tax for which a credit is allowed is a tax which any part of which is based upon the new motor vehicle's quantity of estimated emissions as determined by state or federal standards.

(b) "State" means (i) a state of the United States other than Washington, or any political subdivision of such other state, (ii) the District of Columbia, and (iii) any foreign country or political subdivision thereof.

**NEW SECTION.** Sec. 236. Sections 229 through 235 and 245 of this act shall constitute a new chapter in Title 82 RCW.

Sec. 237. RCW 82.44.020 and 1990 c 42 s 302 are each amended to read as follows:

(1) An excise tax is imposed for the privilege of using in the state any motor vehicle, except those operated under reciprocal agreements, the provisions of RCW 46.16.160 as now or hereafter amended, or dealer's licenses. The annual amount of such excise tax shall be two percent of the value of such vehicle.

(2) An additional excise tax is imposed, in addition to any other tax imposed by this section, for the privilege of using in the state any such motor vehicle, and the annual amount of such additional excise shall be two-tenths of one percent of the value of such vehicle.

(3) Effective with October 1992 motor vehicle registration expirations, a clean air and water excise tax is imposed in addition to any other tax imposed by this section for the privilege of using in the state any motor vehicle, and the annual amount of the additional excise tax shall be two dollars and fifty cents.

(4) Effective with October 1992 motor vehicle registration expirations, an excise tax is imposed in addition to any other tax imposed by this section for the privilege of using in this state a new motor vehicle upon which the tax imposed by section 230 of this act has not been paid by the manufacturer.

(a) The amount of the tax is an amount based on a vehicle's emissions of hydrocarbons, carbon monoxide, oxides of nitrogen, and carbon dioxide weighted by the estimated emissions control costs, relative to the weighted emissions of other new motor vehicles in the class. The state energy office shall establish for each new motor vehicle class a standard acceptable weighted emission quantity for the state equal to one hundred fifteen percent of the average weighted emissions quantity for new motor vehicles in the class. The tax for each new vehicle exceeding the standard established by the state energy office shall be one hundred twenty-five dollars. In calculating the acceptable weighted emissions standard for each class of motor vehicle, the state energy office shall, in consultation with the department of ecology, utilize estimated control costs for each pollutant and emission, and fuel economy as provided by the manufacturer. The standard shall be established annually, in order to incorporate new information on emissions and

control costs. This tax shall be adjusted annually to account for inflation as determined by the state office of the economic and revenue forecast council.

(b) For purposes of this subsection, the term "new motor vehicle" means all motor vehicles of the type designed primarily to be used, upon the public streets and highways, for the convenience or pleasure of the owner, or for the conveyance, for hire or otherwise, of persons or property, including fixed loads and facilities for human habitation which has not been previously permanently registered in this or any other state, or, any foreign country; but shall not include:

(i) Vehicles carrying exempt licenses;

(ii) Dock and warehouse tractors and their cars or trailers, lumber carriers of the type known as spiders, and all other automotive equipment not designed primarily for use upon public streets, or highways;

(iii) Mobile homes and travel trailers as defined in RCW 82.50.010;

(iv) Farm vehicles as defined in RCW 46.04.181;

(v) Semitrailers as defined in RCW 46.04.530;

(vi) Trailers as defined in RCW 46.04.620; or

(vii) Motor vehicles owned by nonresident military personnel of the armed forces of the United States stationed in the state of Washington provided personnel were also nonresident at the time of their entry into military service.

(c) Credit shall be allowed against the taxes imposed in this subsection for any emissions tax paid to another state with respect to the same new motor vehicle. The amount of the credit shall not exceed the tax liability arising under this chapter with respect to that new motor vehicle. For purposes of this subsection:

(i) An emissions tax for which a credit is allowed is a tax which any part of which is based upon the new motor vehicle's quantity of estimated emissions as determined by state or federal standards.

(ii) "State" means a state of the United States other than Washington, or any political subdivision of such other state, the District of Columbia, and any foreign country or political subdivision thereof.

(5) In no case shall the total tax be less than two dollars except for proportionally registered vehicles.

((4)) (6) Washington residents, as defined in RCW 46.16.028, who license motor vehicles in another state or foreign country and avoid Washington motor vehicle excise taxes are liable for such unpaid excise taxes. The department of revenue may assess and collect the unpaid excise taxes under chapter 82.32 RCW, including the penalties and interest provided therein.

Sec. 238. RCW 82.44.110 and 1990 2nd ex.s. c 1 s 801 are each amended to read as follows:

The county auditor shall regularly, when remitting license fee receipts, pay over and account to the director of licensing for the excise taxes collected under the provisions of this chapter. The director shall forthwith transmit the excise taxes to the state treasurer.

(1) The state treasurer shall deposit the excise taxes collected under RCW 82.44.020(1) as follows:

((1)) (a) 1.60 percent into the motor vehicle fund to defray administrative and other expenses incurred by the department in the collection of the excise tax.

((2)) (b) 8.15 percent into the Puget Sound capital construction account in the motor vehicle fund.

((3)) (c) 4.07 percent into the Puget Sound ferry operations account in the motor vehicle fund.

((4)) (d) 8.83 percent into the general fund to be distributed under RCW 82.44.155.

((5)) (e) 4.75 percent into the municipal sales and use tax equalization account in the general fund created in RCW 82.14.210.

~~((6))~~ (f) 1.60 percent into the county sales and use tax equalization account in the general fund created in RCW 82.14.200.

~~((7))~~ (g) 62.6440 percent into the general fund through June 30, 1993, 57.6440 percent into the general fund beginning July 1, 1993, and 66 percent into the general fund beginning January 1, 1994.

~~((8))~~ (h) 5 percent into the transportation fund created in RCW 82.44.180 beginning July 1, 1993.

~~((9))~~ (i) 5.9686 percent into the county criminal justice assistance account created in RCW 82.14.310 through December 31, 1993.

~~((10))~~ (j) 1.1937 percent into the municipal criminal justice assistance account for distribution under RCW 82.14.320 through December 31, 1993.

~~((11))~~ (k) 1.1937 percent into the municipal criminal justice assistance account for distribution under RCW 82.14.330 through December 31, 1993.

(2) The state treasurer shall deposit the excise taxes collected under RCW 82.44.020(2) into the transportation fund.

(3) The state treasurer shall deposit the excise taxes imposed by RCW 82.44.020 (3) and (4) into the air pollution control account.

Sec. 239. RCW 82.44.150 and 1990 c 42 s 308 are each amended to read as follows:

(1) The director of licensing shall, on the twenty-fifth day of February, May, August, and November of each year, advise the state treasurer of the total amount of motor vehicle excise taxes imposed by RCW 82.44.020 (1) and (2) remitted to the department during the preceding calendar quarter ending on the last day of March, June, September, and December, respectively, except for those payable under RCW 82.44.030, from motor vehicle owners residing within each municipality which has levied a tax under RCW 35.58.273, which amount of excise taxes shall be determined by the director as follows:

The total amount of motor vehicle excise taxes remitted to the department, except those payable under RCW 82.44.020 (3) and (4) and 82.44.030, from each county shall be multiplied by a fraction, the numerator of which is the population of the municipality residing in such county, and the denominator of which is the total population of the county in which such municipality or portion thereof is located. The product of this computation shall be the amount of excise taxes from motor vehicle owners residing within such municipality or portion thereof. Where the municipality levying a tax under RCW 35.58.273 is located in more than one county, the above computation shall be made by county, and the combined products shall provide the total amount of motor vehicle excise taxes from motor vehicle owners residing in the municipality as a whole. Population figures required for these computations shall be supplied to the director by the office of financial management, who shall adjust the fraction annually.

(2) On the first day of the months of January, April, July, and October of each year, the state treasurer based upon information provided by the department shall, from motor vehicle excise taxes deposited in the general fund, under RCW 82.44.110(7), make the following deposits:

(A) To the high capacity transportation account created in RCW 47.78.010, a sum equal to four and five-tenths percent of the special excise tax levied under RCW 35.58.273 by those municipalities authorized to levy a special excise tax within a class AA county, or within a class A county contiguous to a class AA county, or within a second class county contiguous to a class A county that is contiguous to a class AA county;

(B) To the central Puget Sound public transportation account created in RCW 82.44.180, for revenues distributed after December 31, 1992, within a class AA county or within a class A county contiguous to a class AA county, a sum equal to the difference between (i) the special excise tax levied and collected under RCW 35.58.273 by those

municipalities authorized to levy and collect a special excise tax subject to the requirements of subsections (3) and (4) of this section and (ii) the special excise tax that the municipality would otherwise have been eligible to levy and collect at a tax rate of .815 percent and been able to match with locally generated tax revenues, other than the excise tax imposed under RCW 35.58.273, budgeted for any public transportation purpose. Before this deposit, the sum shall be reduced by an amount equal to the amount distributed under (a) of this subsection for each of the municipalities within the counties to which this subsection (2)(b) applies; however, any transfer under this subsection (2)(b) must be greater than zero;

(c) To the public transportation systems account created in RCW 82.44.180, for revenues distributed after December 31, 1992, within counties not described in (b) of this subsection, a sum equal to the difference between (i) the special excise tax levied and collected under RCW 35.58.273 by those municipalities authorized to levy and collect a special excise tax subject to the requirements of subsections (3) and (4) of this section and (ii) the special excise tax that the municipality would otherwise have been eligible to levy and collect at a tax rate of .815 percent and been able to match with locally generated tax revenues, other than the excise tax imposed under RCW 35.58.273, budgeted for any public transportation purpose. Before this deposit, the sum shall be reduced by an amount equal to the amount distributed under (a) of this subsection for each of the municipalities within the counties to which this subsection (2)(c) applies; however, any transfer under this subsection (2)(c) must be greater than zero; and

(d) To the transportation fund created in RCW 82.44.180, for revenues distributed after June 30, 1991, a sum equal to the difference between (i) the special excise tax levied and collected under RCW 35.58.273 by those municipalities authorized to levy and collect a special excise tax subject to the requirements of subsections (3) and (4) of this section and (ii) the special excise tax that the municipality would otherwise have been eligible to levy and collect at a tax rate of .815 percent notwithstanding the requirements set forth in subsections (3) through (6) of this section, reduced by an amount equal to distributions made under (a), (b), and (c) of this subsection.

(3) On the first day of the months of January, April, July, and October of each year, the state treasurer, based upon information provided by the department, shall remit motor vehicle excise tax revenues imposed and collected under RCW 35.58.273 as follows:

(a) The amount required to be remitted by the state treasurer to the treasurer of any municipality levying the tax shall not exceed in any calendar year the amount of locally-generated tax revenues, excluding the excise tax imposed under RCW 35.58.273 for the purposes of this section, which shall have been budgeted by the municipality to be collected in such calendar year for any public transportation purposes including but not limited to operating costs, capital costs, and debt service on general obligation or revenue bonds issued for these purposes; and

(b) In no event may the amount remitted in a single calendar quarter exceed the amount collected on behalf of the municipality under RCW 35.58.273 during the calendar quarter next preceding the immediately preceding quarter.

(4) At the close of each calendar year accounting period, but not later than April 1, each municipality that has received motor vehicle excise taxes under subsection (3) of this section shall transmit to the director of licensing and the state auditor a written report showing by source the previous year's budgeted tax revenues for public transportation purposes as compared to actual collections. Any municipality that has not submitted the report by April 1 shall cease to be eligible to receive motor vehicle excise taxes under subsection (3) of this section until the report is received by the director of licensing. If a municipality has received more or less money under subsection (3) of this section for the period covered by the report than it is entitled to receive by reason of its locally-generated collected tax revenues, the director of licensing shall, during the next ensuing quarter that the municipality is eligible to receive motor vehicle excise tax funds, increase

or decrease the amount to be remitted in an amount equal to the difference between the locally-generated budgeted tax revenues and the locally-generated collected tax revenues. In no event may the amount remitted for a calendar year exceed the amount collected on behalf of the municipality under RCW 35.58.273 during that same calendar year. At the time of the next fiscal audit of each municipality, the state auditor shall verify the accuracy of the report submitted and notify the director of licensing of any discrepancies.

(5) The motor vehicle excise taxes imposed under RCW 35.58.273 and required to be remitted under this section shall be remitted without legislative appropriation.

(6) Any municipality levying and collecting a tax under RCW 35.58.273 which does not have an operating, public transit system or a contract for public transportation services in effect within one year from the initial effective date of the tax shall return to the state treasurer all motor vehicle excise taxes received under subsection (3) of this section.

Sec. 240. RCW 82.44.155 and 1990 c 42 s 309 are each amended to read as follows:

When distributions are made under RCW 82.44.150, the state treasurer shall apportion and distribute the motor vehicle excise taxes deposited into the general fund under RCW 82.44.110(4) to the cities and towns ratably on the basis of population as last determined by the office of financial management. When so apportioned, the amount payable to each such city and town shall be transmitted to the city treasurer thereof, and shall be used by the city or town for the purposes of police and fire protection and the preservation of the public health in the city or town, and not otherwise. If it is adjudged that revenue derived from the excise ~~((tax))~~ taxes imposed by ~~((this chapter))~~ RCW 82.44.020 (1) and (2) cannot lawfully be apportioned or distributed to cities or towns, all moneys directed by this section to be apportioned and distributed to cities and towns shall be credited and transferred to the state general fund.

Sec. 241. RCW 82.44.180 and 1990 c 42 s 312 are each amended to read as follows:

(1) The transportation fund is created in the state treasury. Revenues under RCW 82.44.020 (1) and (2), 82.44.110, 82.44.150, and the surcharge under RCW 82.50.510 shall be deposited into the fund as provided in those sections.

Moneys in the fund may be spent only after appropriation. Expenditures from the fund may be used only for transportation purposes.

(2) There is hereby created the central Puget Sound public transportation account within the transportation fund. Moneys deposited into the account under RCW 82.44.150(2)(b) shall be expended within the three county region from which the funds are derived, solely for:

(a) Development of high capacity transportation systems as defined in RCW 81.104.010;

(b) Development of high occupancy vehicle lanes and related facilities as defined in RCW 81.100.020; and

(c) Public transportation system contributions required to fund projects approved by the transportation improvement board.

(3) There is hereby created the public transportation systems account within the transportation fund. Moneys deposited into the account under RCW 82.44.150(2)(c) shall be available to the public transportation system from which the funds are derived, solely for:

(a) Development of high capacity transportation systems as defined in RCW 81.104.010;

(b) Development of high occupancy vehicle lanes and related facilities as defined in RCW 81.100.020;

(c) Other public transportation system-related roadway projects on state highways, county roads, or city streets; and

(d) Public transportation system contributions required to fund projects approved by the transportation improvement board.

Sec. 242. RCW 82.50.410 and 1990 c 42 s 321 are each amended to read as follows:

The rate and measure of tax imposed by ~~((this chapter))~~ RCW 82.50.400 for each registration year shall be one percent, and a surcharge of one-tenth of one percent, of the value of the travel trailer or camper, as determined in the manner provided in this chapter: PROVIDED, That the excise tax upon a travel trailer or camper licensed for the first time in this state after the last day of any registration month may only be levied for the remaining months of the registration year including the month in which the travel trailer or camper is first licensed: PROVIDED FURTHER, That the minimum amount of tax payable shall be two dollars: PROVIDED FURTHER, That every dealer in mobile homes or travel trailers, for the privilege of using any mobile home or travel trailer eligible to be used under a dealer's license plate, shall pay an excise tax of two dollars, and such tax shall be collected upon the issuance of each original dealer's license plate, and also a similar tax shall be collected upon the issuance of each dealer's duplicate license plate, which taxes shall be in addition to any tax otherwise payable under this chapter.

A travel trailer or camper shall be deemed licensed for the first time in this state when such vehicle was not previously licensed by this state for the registration year or any part thereof immediately preceding the registration year in which application for license is made or when it has been registered in another jurisdiction subsequent to any prior registration in this state.

NEW SECTION. Sec. 243. A new section is added to chapter 82.50 RCW to read as follows:

An additional annual clean air and water excise tax of two dollars and fifty cents is imposed on the owner of any travel trailer or camper for the privilege of using such travel trailer or camper in this state. The excise tax hereby imposed shall be due and payable to the department of licensing or its agents at the time of registration of a travel trailer or camper. Whenever an application is made to the department of licensing or its agents for a license for a travel trailer or camper there shall be collected, in addition to the amount of the license fee or renewal license fee, the amount of the excise tax imposed by this chapter, and no dealer's license or license plates, and no license or license plates for a travel trailer or camper may be issued unless such tax is paid in full. No additional tax shall be imposed under this chapter upon any travel trailer or camper upon the transfer of ownership thereof, if the tax imposed by this chapter with respect to such travel trailer or camper has already been paid for the registration year or fractional part thereof in which such transfer occurs. Receipts from the tax levied in this section shall be deposited in the air pollution control account.

Sec. 244. RCW 82.50.510 and 1990 c 42 s 322 are each amended to read as follows:

The county auditor shall regularly, when remitting motor vehicle excise taxes, pay to the state treasurer the excise taxes ~~((collected under this chapter))~~ imposed by RCW 82.50.400. The treasurer shall then distribute such funds quarterly on the first day of the month of January, April, July and October of each year in the following amount: (1) For the one percent tax imposed under RCW 82.50.410, fifteen percent to cities and towns for the use thereof apportioned ratably among such cities and towns on the basis of population; fifteen percent to counties for the use thereof to be apportioned ratably among such counties on the basis of moneys collected in such counties from the excise taxes imposed under this chapter; and seventy percent for schools to be deposited in the state general fund; and (2) for the one-tenth of one percent surcharge imposed under RCW 82.50.410, one hundred percent to the transportation fund created in RCW 82.44.180.

NEW SECTION. Sec. 245. (1)(a) The air pollution control account is established in the state treasury. All receipts from sections 230, 243, 404, and 408 of this act and

RCW 70.94.483 shall be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only by the department and local air authorities to develop and implement the provisions of this chapter and chapters 70.94 and 70.120 RCW.

(b) The amounts collected and allocated in accordance with this section shall be expended upon appropriation except as otherwise provided in this section and in accordance with the following limitations:

Portions of moneys received by the department of ecology from the air pollution control account shall be distributed by the department to local authorities based on:

- (i) The level and extent of air quality problems within such authority's jurisdiction;
- (ii) The costs associated with implementing air pollution regulatory programs by such authority; and
- (iii) The amount of funding available to such authority from other sources, whether state, federal, or local, that could be used to implement such programs.

(c) The air operating permit account is created in the custody of the state treasurer. All receipts paid to the department of revenue under section 301 of this act shall be deposited into the account. Expenditures from the account may be used only for the direct and indirect costs of implementing the air operating permit program under section 301 of this act. Only the director of the department of ecology or the director's designee may authorize expenditures from the account. The account is subject to the allotment procedures under chapter 43.88 RCW, but no appropriation is required for such expenditures.

(2) On the first day of the months of January, April, July, and October of each year the department of revenue shall deposit all excise taxes collected under this chapter into the air pollution control account.

NEW SECTION. Sec. 246. A new section is added to chapter 70.120 RCW to read as follows:

(1) It is the intent of the legislature that the state take advantage of the best emission control systems available on new motor vehicles. The department may adopt, by rule, the same vehicle emission standards as required in California, if it finds that such standards will provide a significant benefit to ambient air quality in this state.

(2) In the event that California vehicle emission standards are adopted, the department shall not include a program for in-use testing and recall of vehicles required to meet California emission standards.

NEW SECTION. Sec. 247. The department of ecology shall contract with Western Washington University for the biennium ending June 30, 1993, for research and development of alternative fuel and solar powered vehicles. A report on the progress of such research shall be presented to the standing environmental committees and the department by January 1, 1994.

### "III.

#### INDUSTRIAL AND COMMERCIAL SOURCES"

NEW SECTION. Sec. 301. A new section is added to chapter 70.94 RCW to read as follows:

The department of ecology, or board of an authority, shall require renewable permits for the operation of air contaminant sources subject to the following conditions and limitations:

(1) Unless a different meaning is plainly required by the context, the following words and phrases shall have the following meanings:

(a) "Lowest achievable emission rate" (LAER) means for any source that rate of emissions which reflects:

(i) The most stringent emission limitation that is contained in the implementation plan of any state for such class or category of source, unless the owner or operator of the

proposed new or modified source demonstrates that such limitations are not achievable; or

(ii) The most stringent emission limitation that is achieved in practice by such class or category of source, whichever is more stringent.

In no event shall the application of this term permit a proposed new or modified source to emit any pollutant in excess of the amount allowable under applicable new source performance standards.

(b) "Best available control technology" (BACT) means technology that will result in an emission limitation, including a visible emission standard, based on the maximum degree of reduction for each air pollutant subject to this regulation that would be emitted from any proposed new or modified source that the permitting authority, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such sources or modification through application of production processes, available methods, systems, and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such air pollutant. In no event shall application of the best available technology result in emissions of any air pollutant that would exceed the emissions allowed by any applicable standard under 40 C.F.R. Part 60 and Part 61. If the reviewing agency determines that technological or economic limitations on the application of measurement methodology to a particular class of sources would make the imposition of an emission standard infeasible, it may instead prescribe a design, equipment, work practice, or operational standard, or combination thereof, to meet the requirement of best available control technology. Such standard shall, to the degree possible, set forth the emission reduction achievable by implementation of such design, equipment, work practice, or operation and shall provide for compliance by means that achieve equivalent results. The requirement of RCW 70.94.152 that a new source will provide "all known available and reasonable methods of emission control" is interpreted to mean the same as best available control technology.

(c) "Best available retrofit technology" (BART) means any emission limitation based on the degree of reduction achievable through the application of the best system of continuous emission reduction for each pollutant that is emitted by source. The emission limitation must be established, on a case-by-case basis, taking into consideration the technology available, the costs of compliance, the energy and nonair quality environmental impacts of compliance, any pollution control equipment in use or in existence at the source, the remaining useful life of the source, and the degree of improvement in public health, environmental protection, or visibility that may reasonably be anticipated to result from the use of such technology. If an emission limitation is not feasible, a design, equipment, work practice, operational standard, or combination thereof, may be required. Such standards shall, to the degree possible, set forth the emission reductions achieved and provide for compliance by prescribing appropriate conditions in a permit.

(d) "Reasonably available control technology" (RACT) means the lowest emission limit that a particular source or source category is capable of meeting by the application of control technology that is reasonably available considering technological and economic feasibility. RACT is determined on a case-by-case basis for an individual source or source category taking into account the impact of the source upon air quality, the availability of additional controls, the emission reduction to be achieved by additional controls, the impact of additional controls on air quality, and the capital and operating costs of the additional controls. RACT requirements for any source or source category may be adopted as an order or rule after public involvement per WAC 173-403-110.

(e) "Source" means all of the emissions units including quantifiable fugitive emissions, that are located on one or more contiguous or adjacent properties, and are under the control of the same person, or persons under common control, whose activities

are ancillary to the production of a single product or functionally related group of products.

(f) "New source" means a source that commences construction after the effective date of this section. Addition to, enlargement, modification, replacement, restart after a period of five years of nonoperation, or any alteration of any process or source that may increase emissions or ambient air concentrations of any contaminant for which federal or state ambient or emission standards have been established shall be construed as construction or installation or establishment of a new source. In addition every major modification shall be construed as construction.

(2) Permits shall be issued for a term of five years. A permit may be modified or amended during its term at the request of the permittee, or for any reason allowed by the federal clean air act. The rules adopted pursuant to subsection (3) of this section shall include rules for permit amendments and modifications.

(3)(a) Rules establishing content and minimum requirements for a state-wide operating permit program and the process for permit application and renewal consistent with federal requirements shall be established by the department by January 1, 1993. The rules shall provide that every proposed permit must be reviewed prior to issuance by a professional engineer or staff under the direct supervision of a professional engineer in the employ of the permitting authority. The permit program established by these rules shall be administered by the department and delegated local air authorities.

(b) The board of any local air pollution control authority may apply to the department of ecology for a delegation order authorizing the local authority to administer the operating permit program within that authority's territorial jurisdiction. The department shall, by order, approve such delegation, if the department finds that the local authority has the technical and financial resources, to discharge the responsibilities of a permitting authority under Title V of the federal clean air act. A delegation request shall include adequate information about the local authority's resources to enable the department to make the findings required by this subsection; provided, any delegation order issued under this subsection shall take effect ninety days after the environmental protection agency authorizes the local authority to issue operating permits under Title V of the federal clean air act.

(4) "Best available control technology" (BACT) is required for new sources in areas where ambient air quality standards are not being exceeded for those pollutants causing the area to exceed such standards.

"Lowest achievable emission rate" (LAER) is required for new sources in areas where ambient air quality standards are being exceeded for those pollutants causing the area to exceed such standards.

"Reasonably available control technology" (RACT) is required for existing sources in areas where ambient air quality standards are not being exceeded.

"Best available retrofit technology" (BART) is required for existing sources in areas where ambient air quality standards are being exceeded.

In establishing technical standards, defined in subsection (2) of this section, the permitting authority shall consider and, if found to be appropriate, give credit for waste reduction within the process.

(5) Operating permits shall apply to all sources (a) where required by the federal clean air act, and (b) for any source that may cause or contribute to air pollution in such quantity as can reasonably be demonstrated by the department or board of any authority to create a threat to the public health or welfare. Subsection (5)(b) of this section applies only in areas exceeding or threatening to exceed federal or state air quality standards. For purposes of this section areas threatening to exceed air quality standards shall mean areas projected by the department to exceed such standards within five years. Prior to identifying threatened areas the department shall hold a public hearing or hearings within the proposed areas.

(6) Sources operated by government agencies are not exempt under this section.

(7) By October 1, 1993, or ninety days after the United States environmental protection agency approves the state operating permit program, whichever is later, any person required to have a permit shall submit to the permitting agency a compliance plan and permit application, signed by a responsible official, certifying the accuracy of the information submitted. Existing sources shall be allowed to operate under presently applicable standards and conditions provided that such sources submit complete and timely permit applications.

(8) All proposed permits shall be subject to public notice and comment. The rules adopted pursuant to subsection (3) of this section shall specify procedures for public notice and comment. Such procedures shall provide the permitting agency with an opportunity to respond to comments received from interested parties prior to the time that the proposed permit is submitted to the environmental protection agency for review pursuant to section 505(a) of the federal clean air act. In the event that the environmental protection agency objects to a proposed permit pursuant to section 505(b) of the federal clean air act, the permitting authority shall not issue the permit, unless the permittee consents to the changes required by the environmental protection agency.

(9) The procedures contained in chapter 43.21B RCW shall apply to permit appeals. The pollution control hearings board may stay the effectiveness of any permit issued under this section during the pendency of an appeal filed by the permittee, if the permittee demonstrates that compliance with the permit during the pendency of the appeal would require significant expenditures that would not be necessary in the event that the permittee prevailed on the merits of the appeal.

(10) After the effective date of any permit program promulgated under this section, it shall be unlawful for any person to: (a) Operate a permitted source in violation of any requirement of a permit issued under this section; or (b) fail to submit a permit application at the time required by rules adopted under subsection (3) of this section.

(11) Each air operating permit shall state the origin of and specific legal authority for each requirement included therein. Every requirement in an operating permit shall be based upon the most stringent of the following requirements:

(a) The federal clean air act and rules implementing that act, including provision of an approved state implementation plan;

(b) This chapter and rules adopted thereunder; and

(c) Permits issued by a local air pollution control authority or any resolution or bylaws adopted by that authority.

(12) Consistent with the provisions of the federal clean air act, the permitting authority may issue general permits covering categories of permitted sources, and temporary permits authorizing emissions from similar operations at multiple temporary locations.

(13) Permitted sources within the territorial jurisdiction of an authority delegated the operating permit program shall file their permit applications with that authority, except that permit applications for sources regulated on a state-wide basis pursuant to RCW 70.94.395 shall be filed with the department. Permitted sources outside the territorial jurisdiction of a delegated authority shall file their applications with the department.

(14) When issuing operating permits to coal fired electric generating plants, the permitting authority shall give consideration to the federal time lines for the implementation of required control technology.

(15)(a) Each source emitting one hundred tons or more per year of a regulated pollutant shall pay an interim assessment of ten dollars multiplied by the annual emissions of each regulated pollutant during calendar years 1991 and 1992. "Regulated pollutant" shall have the same meaning as defined in section 502(b) of the federal clean air act amendments of 1990.

(b) Fees collected under (a) of this subsection shall be distributed as follows: Eighty percent to the department and twenty percent to delegated local air authorities.

(16) On or before November 1, 1992, the department, in consultation with the department of revenue, shall report to the appropriate standing committees of the legislature recommendations on air operating permit fees. The department shall recommend a level of fees to cover the direct and indirect costs of implementing the operating permit program required under the 1990 federal clean air act. In making such recommendations, the department shall address:

(a) The costs of the permit program elements as identified in regulations promulgated by the United States environmental protection agency, including, as applicable:

- (i) Oversight of a delegated local air authority;
- (ii) Ambient air monitoring, modeling, and reporting;
- (iii) Training;
- (iv) Data management and quality assurance;
- (v) Development of state implementation plans;
- (vi) Emission inventories;
- (vii) Technical assistance;
- (viii) Rule making and guidelines; and

(ix) Any other activities, consistent with the federal clean air act, that may be identified by the department;

(b) The appropriate division of fees with delegated local air authorities; and

(c) A methodology for tracking revenues and expenditures from fees paid under this chapter.

(17) The department shall determine the persons liable for the fee, compute the fee; and provide by November 1 of each year, the identity of the fee payer with the computation of the fee to the department of revenue for collection. The department of revenue shall collect the fee computed by the department from the fee payers identified by the department. The administrative, collection, and penalty provisions of chapter 82.32 RCW shall apply to the collection of the fee by the department of revenue. The department shall provide technical assistance to the department of revenue for decisions made by the department of revenue pursuant to RCW 82.32.160 and 82.32.170. All fees collected shall be deposited in the air pollution control account.

All fees identified in this section shall be due and payable on March 1 of each year.

(18) For sources or source categories not required to obtain permits under subsection (5) of this section, the department or local authority may establish by rule control technology requirements. If control technology rule revisions are made by the department or local authority under this subsection, the department or local authority shall consider the remaining useful life of control equipment previously installed on existing sources before requiring technology changes. The department or any local air authority may issue a general permit, as authorized under the federal clean air act, for such sources.

Sec. 302. RCW 70.94.152 and 1973 1st ex.s. c 193 s 2 are each amended to read as follows:

(1) The department of ecology or board of any authority may require notice of the construction, installation, or establishment of any new air contaminant sources except single family and duplex dwellings. The department of ecology or board may require such notice to be accompanied by a fee and determine the amount of such fee: PROVIDED, That the amount of the fee may not exceed the cost of reviewing the plans, specifications, and other information and administering such notice: PROVIDED FURTHER, That any such notice given or notice of construction application submitted to either the board or to the department of ecology shall preclude a further ~~((notice))~~ submittal of a duplicate application to ~~((be given to))~~ any ~~((other))~~ board or to the department of ecology. Within thirty days of ~~((its))~~ receipt of ~~((such notice))~~ a notice of

construction application, the department of ecology or board may require, as a condition precedent to the construction, installation, ~~((or))~~ establishment, or modification, of the air contaminant source or sources covered thereby, the submission of plans, specifications, and such other information as it deems necessary ~~((in order))~~ to determine whether the proposed construction, installation, ~~((or))~~ establishment, or modification, will be in accord with applicable rules and regulations in force ~~((pursuant to))~~ under this chapter, and will provide all known available and reasonable methods of emission control. If on the basis of plans, specifications, or other information required ~~((pursuant to))~~ under this section the department of ecology or board determines that the proposed construction, installation, ~~((or))~~ establishment, or modification, will not be in accord with this chapter or the applicable ordinances, resolutions, rules, and regulations adopted ~~((pursuant thereto))~~ under this chapter, or will not provide all known available and reasonable means of emission control, it shall issue an order for the prevention of the construction, installation, ~~((or))~~ establishment, or modification of the air contaminant source or sources. If on the basis of plans, specifications, or other information required ~~((pursuant to))~~ under this section, the department of ecology or board determines that the proposed construction, installation, ~~((or))~~ establishment, or modification will be in accord with this chapter, and the applicable ordinances, resolutions, rules, and regulations adopted ~~((pursuant thereto and will provide all known available and reasonable methods of emission control))~~ under this chapter, it shall issue ~~((an order of approval of))~~ a permit for the construction, installation, ~~((and))~~ establishment, or modification of the air contaminant source or sources, which ~~((order))~~ permit may provide such conditions ~~((of operation))~~ as are reasonably necessary to assure the maintenance of compliance with this chapter and the applicable ordinances, resolutions, rules, and regulations adopted ~~((pursuant thereto))~~ under this chapter.

(2) For the purposes of this chapter, addition to or enlargement or replacement of an air contaminant source, or any major alteration ~~((therein))~~ of a source, shall be construed as construction or installation or establishment of a new air contaminant source. The determination ~~((,))~~ required under subsection (1) of this section ~~((, of whether a proposed construction, installation, or establishment will be in accord with this chapter and the applicable ordinances, resolutions, rules, and regulations adopted pursuant thereto))~~ shall include a determination of whether the operation of the new air contaminant source at the location proposed will cause any ambient air quality standard to be exceeded. For the purposes of this section, "source" shall be limited to the part of the facility or plant being constructed, installed, established, or modified.

(3) Nothing in this section shall be construed to authorize the department of ecology or board to require the use of emission control equipment or other equipment, machinery, or devices of any particular type, from any particular supplier, or produced by any particular manufacturer.

(4) Any features, machines, and devices constituting parts of or called for by plans, specifications, or other information submitted pursuant to subsection (1) ~~((hereof))~~ of this section shall be maintained and operate in good working order.

(5) The absence of an ordinance, resolution, rule, or regulation, or the failure to issue ~~((an order pursuant to this section))~~ a permit under this section shall not relieve any person from his or her obligation to comply with ~~((any))~~ applicable emission control requirements or with any other provision of law.

(6) The department or appropriate local authority shall provide in writing to any source for which notice of construction decisions will be delayed more than ninety days after a complete application is received, (a) the causes of the delay and (b) the time period that will elapse before a decision is rendered including a reasonable schedule of time requirements and steps necessary for the department or local authority to reach such decision.

NEW SECTION. Sec. 303. A new section is added to chapter 70.94 RCW to read as follows:

All sources not subject to permits under section 301 of this act but emitting more than ten tons of a criteria air contaminant or one ton of a hazardous air pollutant, as identified by the federal clean air act, per year shall be required to develop emission reduction plans for the reduction of air contaminant emissions. A person with multiple facilities may submit a single plan for one or more of those facilities. The department shall adopt rules for preparation, format, and approval process for these plans. The rules shall be, to the extent possible, consistent with rules adopted by the department under chapter 114, Laws of 1990. Where applicable hazardous substance reduction plans required by chapter 114, Laws of 1990 shall constitute full or partial compliance with these requirements. The rules shall require the plan to address, where applicable, at a minimum the following options: Process changes, product substitution, equipment modifications, hazardous substance use reduction, recycling, and energy efficiency. The plan shall contain but not be limited to a written policy articulating corporate management or agency director support for the plan and an executive summary documenting the scope, objectives, and methods of emission reduction chosen. The appropriate local air authority or the department shall approve the emission reduction plan consistent with rules adopted under this section. Sources that voluntarily install best available control technology and best management practices for all emission points are exempt from the plans under this subsection. Specific levels, quantities, or percentage emission reduction shall not be required by these plans. Failure to submit an adequate plan may result in penalties as provided for in RCW 70.94.430 and 70.94.431.

Sec. 304. RCW 70.94.155 and 1981 c 224 s 1 are each amended to read as follows:

(1) As used in subsection (3) of this section, the term "bubble" means an air pollution control system which permits aggregate measurements of allowable emissions, for a single category of pollutant, for emissions points from a specified emissions-generating facility or facilities. Individual point source emissions levels from such specified facility or facilities may be modified provided that the aggregate limit for the specified sources is not exceeded.

(2) Whenever any regulation relating to emission standards or other requirements for the control of emissions is adopted which provides for compliance with such standards or requirements no later than a specified time after the date of adoption of the regulation, the appropriate activated air pollution control authority or, if there be none, the department of ecology shall, by permit or regulatory order, issue to air contaminant sources subject to the standards or requirements, schedules of compliance setting forth timetables for the achievement of compliance as expeditiously as practicable, but in no case later than the time specified in the regulation. Interim dates in such schedules for the completion of steps of progress toward compliance shall be as enforceable as the final date for full compliance therein.

(3) Wherever requirements necessary for the attainment of air quality standards or, where such standards are not exceeded, for the maintenance of air quality can be achieved through the use of a control program involving the bubble concept, such program may be authorized by a regulatory order or orders or permit issued to the air contaminant source or sources involved. Such order or permit shall only be authorized after the control program involving the bubble concept is accepted by United States environmental protection agency as part of an approved state implementation plan. Any such order or permit provision shall restrict total emissions within the bubble to no more than would otherwise be allowed in the aggregate for all emitting processes covered. The orders or permits provided for by this subsection shall be issued by the department or the authority with jurisdiction. If the bubble involves interjurisdictional approval, concurrence in the total program must be secured from each regulatory entity concerned.

Sec. 305. RCW 70.94.181 and 1983 c 3 s 176 are each amended to read as follows:

(1) Any person who owns or is in control of any plant, building, structure, establishment, process or equipment may apply to the department of ecology (~~where it has regulatory authority under RCW 70.94.390, 70.94.395, 70.94.410, and 70.94.420,~~) or appropriate local authority board for a variance from rules or regulations governing the quality, nature, duration or extent of discharges of air contaminants. The application shall be accompanied by such information and data as the department of ecology or board may require. The department of ecology or board may grant such variance, provided that variances to state rules shall require the department's approval prior to being issued by a local authority board. The total time period for a variance and renewal of such variance shall not exceed one year. Variances may be issued by either the department or a local board but only after public hearing or due notice, if ((it)) the department or board finds that:

(a) The emissions occurring or proposed to occur do not endanger public health or safety or the environment; and

(b) Compliance with the rules or regulations from which variance is sought would produce serious hardship without equal or greater benefits to the public.

(2) No variance shall be granted pursuant to this section until the department of ecology or board has considered the relative interests of the applicant, other owners of property likely to be affected by the discharges, and the general public.

(3) Any variance or renewal thereof shall be granted within the requirements of subsection (1) ~~((and for time periods))~~ of this section and under conditions consistent with the reasons therefor, and within the following limitations:

(a) If the variance is granted on the ground that there is no practicable means known or available for the adequate prevention, abatement or control of the pollution involved, it shall be only until the necessary means for prevention, abatement or control become known and available, and subject to the taking of any substitute or alternate measures that the department of ecology or board may prescribe.

~~(b) ((If the application for variance shows that there is no automobile fragmentizer within a reasonable distance of the wrecking yard for which the variance is sought, a variance will be granted for a period not to exceed three years for commercial burning of automobile hulks, subject to such conditions as the department of ecology may impose as to climatic conditions and hours during which burning of such hulks may be carried out: PROVIDED, HOWEVER, That any variance granted hereunder shall be of no force and effect after July 1, 1970.~~

~~((c))~~ If the variance is granted on the ground that compliance with the particular requirement or requirements from which variance is sought will require the taking of measures which, because of their extent or cost, must be spread over a considerable period of time, it shall be for a period not to exceed such reasonable time as, in the view of the department of ecology or board is requisite for the taking of the necessary measures. A variance granted on the ground specified herein shall contain a timetable for the taking of action in an expeditious manner and shall be conditioned on adherence to such timetable.

~~((d))~~ ~~((c))~~ If the variance is granted on the ground that it is justified to relieve or prevent hardship of a kind other than that provided for in ~~((item))~~ (a) ~~((-b))~~ and ~~((e))~~ (b) of this ((subparagraph)) subsection, it shall be for not more than one year.

(4) Any variance granted pursuant to this section may be renewed on terms and conditions and for periods which would be appropriate on initial granting of a variance. If complaint is made to the department of ecology or board on account of the variance, no renewal thereof shall be granted unless following a public hearing on the complaint on due notice the ~~((state board))~~ department or board finds that renewal is justified. No renewal shall be granted except on application therefor. Any such application shall be made at least sixty days prior to the expiration of the variance. Immediately upon receipt of an application for renewal, the department of ecology or board shall give public notice

of such application in accordance with rules (~~and regulations~~) of the department of ecology or board.

(5) A variance or renewal shall not be a right of the applicant or holder thereof but shall be granted at the discretion of the department of ecology or board. However, any applicant adversely affected by the denial or the terms and conditions of the granting of an application for a variance or renewal of a variance by the department of ecology or board may obtain judicial review thereof under the provisions of chapter 34.05 RCW as now or hereafter amended.

(6) Nothing in this section and no variance or renewal granted pursuant hereto shall be construed to prevent or limit the application of the emergency provisions and procedures of RCW 70.94.710 through 70.94.730 to any person or his or her property.

(7) An application for a variance, or for the renewal thereof, submitted to the department of ecology or board pursuant to this section shall be approved or disapproved by the department or board within sixty-five days of receipt unless the applicant and the department of ecology or board agree to a continuance.

(8) Variances approved under this section shall not be included in orders or permits provided for in section 301 of this act or RCW 70.94.152 until such time as the variance has been accepted by the United States environmental protection agency as part of an approved state implementation plan.

Sec. 306. RCW 70.94.205 and 1973 1st ex.s. c 193 s 4 are each amended to read as follows:

Whenever any records or other information, other than ambient air quality data or emission data, furnished to or obtained by the department of ecology or the board of any authority (~~pursuant to any sections in chapter 70.94 RCW~~) under this chapter, relate to processes or production unique to the owner or operator, or is likely to affect adversely the competitive position of such owner or operator if released to the public or to a competitor, and the owner or operator of such processes or production so certifies, such records or information shall be only for the confidential use of the department of ecology or board. Nothing herein shall be construed to prevent the use of records or information by the department of ecology or board in compiling or publishing analyses or summaries relating to the general condition of the outdoor atmosphere: PROVIDED, That such analyses or summaries do not reveal any information otherwise confidential under the provisions of this section: PROVIDED FURTHER, That emission data furnished to or obtained by the department of ecology or board shall be correlated with applicable emission limitations and other control measures and shall be available for public inspection during normal business hours at offices of the department of ecology or board.

NEW SECTION. Sec. 307. A new section is added to chapter 70.94 RCW to read as follows:

The department shall establish a technical assistance unit within its air quality program, consistent with the federal clean air act, to provide the regulated community, especially small businesses with:

- (1) Information on air pollution laws, rules, compliance methods, and technologies;
- (2) Information on air pollution prevention methods and technologies, and prevention of accidental releases;
- (3) Assistance in obtaining permits and developing emission reduction plans;
- (4) Information on the health and environmental effects of air pollution.

No representatives of the department designated as part of the technical assistance unit created in this section may have any enforcement authority. Staff of the technical assistance unit who provide on-site consultation at an industrial or commercial facility and who observe violations of air quality rules shall immediately inform the owner or operator of the facility of such violations. On-site consultation visits shall not be regarded as an inspection or investigation and no notices or citations may be issued or civil penalties assessed during such a visit. However, violations shall be reported to the appropriate

enforcement agency and the facility owner or operator shall be notified that the violations will be reported. No enforcement action shall be taken by the enforcement agency for violations reported by technical assistance unit staff unless and until the facility owner or operator has been provided reasonable time to correct the violation. Violations that place any person in imminent danger of death or substantial bodily harm or cause physical damage to the property of another in an amount exceeding one thousand dollars may result in immediate enforcement action by the appropriate enforcement agency.

Sec. 308. RCW 70.94.211 and 1974 ex.s. c 69 s 4 are each amended to read as follows:

Whenever the board or the control officer has reason to believe that any provision of this chapter or any ordinance, resolution, rule or regulation relating to the control or prevention of air pollution has been violated, such board or control officer may cause written notice to be served upon the alleged violator or violators. The notice shall specify the provision of this chapter or the ordinance, resolution, rule or regulation alleged to be violated, and the facts alleged to constitute a violation thereof, and may include an order directing that necessary corrective action be taken within a reasonable time. In lieu of an order, the board or the control officer may require that the alleged violator or violators appear before the board for a hearing, or in addition to or in place of an order or hearing, the board may initiate action pursuant to RCW 70.94.425, 70.94.430, 70.94.431, and 70.94.435.

Sec. 309. RCW 70.94.430 and 1984 c 255 s 1 are each amended to read as follows:

(1) Any person who knowingly violates any of the provisions of ~~((this))~~ chapter 70.94 or 70.120 RCW, or any ordinance, resolution, ~~((rule))~~ or regulation in force pursuant thereto shall be guilty of a ~~((misdemeanor))~~ crime and upon conviction thereof shall be punished by a fine of not more than ~~((one))~~ ten thousand dollars, or by imprisonment in the county jail for not more than ~~((ninety days))~~ one year, or by both ~~((fine and imprisonment))~~ for each separate violation.

~~((Any person who wilfully violates any of the provisions of this chapter or any ordinance, resolution, rule or regulation in force pursuant thereto shall be guilty of a gross misdemeanor. Upon conviction the offender shall be punished by a fine of not less than one hundred dollars for each offense or by imprisonment for a term of not more than one year or by both fine and imprisonment.~~

~~In case of a continuing violation, whether or not wilfully committed, each day's continuance shall be a separate and distinct violation.))~~

(2) Any person who negligently releases into the ambient air any substance listed by the department of ecology as a hazardous air pollutant, other than in compliance with the terms of an applicable permit or emission limit, and who at the time negligently places another person in imminent danger of death or substantial bodily harm shall be guilty of a crime and shall, upon conviction, be punished by a fine of not more than ten thousand dollars, or by imprisonment for not more than one year, or both.

(3) Any person who knowingly releases into the ambient air any substance listed by the department of ecology as a hazardous air pollutant, other than in compliance with the terms of an applicable permit or emission limit, and who knows at the time that he or she thereby places another person in imminent danger of death or substantial bodily harm or causes physical damage to the property of another in an amount exceeding ten thousand dollars, shall be guilty of a crime and shall, upon conviction, be punished by a fine of not less than fifty thousand dollars, or by imprisonment for not more than five years, or both.

(4) Any person who knowingly fails to disclose a potential conflict of interest under RCW 70.94.100 shall be guilty of a gross misdemeanor, and upon conviction thereof shall be punished by a fine or not more than five thousand dollars.

Sec. 310. RCW 70.94.431 and 1990 c 157 s 1 are each amended to read as follows:

(1) In addition to or as an alternate to any other penalty provided by law, any person who violates any of the provisions of chapter 70.94 RCW, chapter 70.120 RCW, or any of the rules ~~((and regulations of the department or the board shall))~~ in force under such chapters may incur a civil penalty in an amount not to exceed ~~((one))~~ ten thousand dollars per day for each violation. Each such violation shall be a separate and distinct offense, and in case of a continuing violation, each day's continuance shall be a separate and distinct violation. ~~((For the purposes of this subsection, the maximum daily fine imposed by a local board for violations of standards by a specific emissions unit is one thousand dollars.))~~

Any person who fails to take action as specified by an order issued pursuant to this chapter shall be liable for a civil penalty of not more than ten thousand dollars for each day of continued noncompliance.

(2) Penalties incurred but not paid shall accrue interest, beginning on the ninety-first day following the date that the penalty becomes due and payable, at the highest rate allowed by RCW 19.52.020 on the date that the penalty becomes due and payable. If violations or penalties are appealed, interest shall not begin to accrue until the thirty-first day following final resolution of the appeal.

The maximum penalty amounts established in this section may be increased annually to account for inflation as determined by the state office of the economic and revenue forecast council.

~~((2) Further, the person is subject to a fine of up to five thousand dollars to be levied by the director of the department of ecology if requested by the board of a local authority or if the director determines that the penalty is needed for effective enforcement of this chapter. A local board shall not make such a request until notice of violation and compliance order procedures have been exhausted, if such procedures are applicable. For the purposes of this subsection, the maximum daily fine imposed by the department of ecology for violations of standards by a specific emissions unit is five thousand dollars.))~~

(3) Each act of commission or omission which procures, aids or abets in the violation shall be considered a violation under the provisions of this section and subject to the same penalty. The penalties provided in this section shall be imposed pursuant to RCW 43.21B.300.

(4) All penalties recovered under this section by the department shall be paid into the state treasury and credited to the ~~((general fund))~~ air pollution control account established in section 245 of this act or, if recovered by the authority, shall be paid into the treasury of the authority and credited to its funds. If a prior penalty for the same violation has been paid to a local authority, the penalty imposed by the department under subsection ~~((2))~~ (1) of this section shall be reduced by the amount of the payment. ~~((Notwithstanding any other provisions of this chapter, no penalty may be levied for the violation of any opacity standard in an amount exceeding four hundred dollars per day.))~~

(5) To secure the penalty incurred under this section, the state or the authority shall have a lien on any vessel used or operated in violation of this chapter which shall be enforced as provided in RCW 60.36.050.

(6) Public or private entities that are recipients or potential recipients of department grants, whether for air quality related activities or not, may have such grants rescinded or withheld by the department for failure to comply with provisions of this chapter.

(7) In addition to other penalties provided by this chapter, persons found under-reporting emissions or other information used to set fees, or persons required to pay emission or permit fees who are more than ninety days late with such payments may be subject to a penalty equal to three times the amount of the original fee owed.

Sec. 311. RCW 70.94.860 and 1984 c 164 s 2 are each amended to read as follows:

The department of ecology may accept delegation of ~~((the prevention of significant deterioration program pursuant to Part C, Subpart 1 of))~~ programs as provided for in the federal clean air act. Subject to federal approval, the department may, in turn, delegate ((this)) such programs to the local authority with jurisdiction in a given area.

Sec. 312. RCW 70.94.875 and 1985 c 456 s 3 are each amended to read as follows:

The department of ecology, in consultation with the ~~((joint legislative committee on science and technology or the))~~ appropriate committees of the house of representatives and of the senate, shall:

(1) Continue evaluation of information and research on acid deposition in the Pacific Northwest region;

(2) Establish critical levels of acid deposition and lake, stream, and soil acidification; and

(3) Notify the legislature if acid deposition or lake, stream, and soil acidification reaches the levels established under subsection (2) of this section.

NEW SECTION. Sec. 313. A new section is added to chapter 70.94 RCW to read as follows:

(1) The science advisory board is hereby created to advise the department on procedures for assessing and managing the risks associated with air contaminant emissions. The board shall consist of five members knowledgeable in the fields of risk assessment or risk management. Members shall be appointed by the director of the department. The board shall be staffed by the department.

(2) The board shall:

(a) Advise the department on the most appropriate methods for identifying and measuring cancer risks or other chronic health effects resulting from exposure to air contaminant emissions; and

(b) Identify, evaluate, and recommend procedures relating to managing the risks associated with exposure to air contaminant emissions.

(3) In fulfilling its duties under subsection (2) of this section, the board shall consider all appropriate studies and reports relating to risk assessment or risk management including but not limited to reports authorized by the federal clean air act from the national academy of sciences and the risk assessment and risk management commission.

(4) Members shall be compensated as provided in RCW 43.03.250 and shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(5) The duties of the board shall terminate on July 1, 1996.

"IV.

#### OUTDOOR BURNING"

Sec. 401. RCW 70.94.745 and 1972 ex.s. c 136 s 2 are each amended to read as follows:

It shall be the responsibility and duty of the department of natural resources, department of ecology, department of agriculture, fire districts, and local air pollution control authorities to establish, through regulations, ordinances, or policy, a limited burning program for the people of this state, consisting of a one-permit system, until such time as ~~((an))~~ alternate technology or methods of disposing of the organic refuse ~~((described in this chapter shall))~~ have been developed ~~((which is))~~ that are reasonably economical and less harmful to the environment. It is the policy of this state to ~~((encourage the fostering and development of such))~~ foster and encourage development of alternate methods or technology for disposing of or reducing the amount of organic refuse.

NEW SECTION. Sec. 402. A new section is added to chapter 70.94 RCW to read as follows:

(1) Consistent with the policy of the state to reduce outdoor burning to the greatest extent practical:

(a) Outdoor burning shall not be allowed in any area of the state where federal or state ambient air quality standards are exceeded for pollutants emitted by outdoor burning.

(b) Outdoor burning shall not be allowed in any urban growth area as defined by RCW 36.70A.030, or any city of the state having a population greater than ten thousand people if such cities are threatened to exceed state or federal air quality standards, and

alternative disposal practices consistent with good solid waste management are reasonably available or practices eliminating production of organic refuse are reasonably available. In no event shall such burning be allowed after December 31, 2000.

(2) "Outdoor burning" means the combustion of material of any type in an open fire or in an outdoor container without providing for the control of combustion or the control of emissions from the combustion.

(3) This section shall not apply to silvicultural burning used to improve or maintain fire dependent ecosystems for rare plants or animals within state, federal, and private natural area preserves, natural resource conservation areas, parks, and other wildlife areas.

NEW SECTION. Sec. 403. A new section is added to chapter 70.94 RCW to read as follows:

(1) The department of natural resources shall administer a program to reduce state-wide emissions from silvicultural forest burning so as to achieve the following minimum objectives:

(a) Twenty percent reduction by December 31, 1994 providing a ceiling for emissions until December 31, 2000; and

(b) Fifty percent reduction by December 31, 2000 providing a ceiling for emissions thereafter.

Reductions shall be calculated from the average annual emissions level from calendar years 1985 to 1989, using the same methodology for both reduction and base year calculations. The average annual emissions level from calendar years 1985 to 1989 shall constitute an emissions ceiling until December 31, 1994.

(2) The department of natural resources, within twelve months after the effective date of this section, shall develop a plan, in consultation with the department of ecology, public and private land owners, engaged in silvicultural forest burning, and representatives of the public to carry out the program as described in this section.

The plan shall recognize the variations in silvicultural forest burning including, but not limited to, a landowner's responsibility to abate an extreme fire hazard under chapter 76.04 RCW and other objectives of burning, including abating and preventing a fire hazard, geographic region, climate, elevation and slope, proximity to populated areas, and diversity of land ownership. The plan shall establish priorities that the department of natural resources shall use to allocate allowable emissions, including but not limited to, silvicultural burning used to improve or maintain fire dependent ecosystems for rare plants or animals within state, federal, and private natural area preserves, natural resource conservation areas, parks, and other wildlife areas.

The emission reductions in this section are to apply to all forest lands including those owned and managed by the United States. If the United States does not participate in implementing the plan, the departments of natural resources and ecology shall use all appropriate and available methods or enforcement powers to ensure participation. Until such time as satisfactory participation occurs, the contribution of emissions from such lands shall be deleted from the calculation of the base period and the percentage reductions.

The plan shall include a tracking system designed to measure the degree of progress toward the emission reductions goals set in this section. Emissions are to be determined by the department of natural resources using the Pacific Northwest research station's smoke management system information model or best available method of estimation. The department of natural resources shall report annually to the department of ecology and the legislature on the status of the plan, emission reductions and progress toward meeting the objectives specified in this section, and the goals of this chapter and chapter 76.04 RCW.

(3) If the December 31, 1994, emission reductions targets in this section are not met, the department of natural resources, in consultation with the department of ecology, shall use its authority granted in this chapter and chapter 76.04 RCW to immediately limit

emissions from such burning to the 1994 target levels and limit silvicultural forest burning in subsequent years to achieve equal annual incremental reductions so as to achieve the December 31, 2000, target level. If, as a result of the program established in this section, the emission reductions are met in 1994, but are not met by December 31, 2000, the department of natural resources in consultation with the department of ecology shall immediately limit silvicultural forest burning to reduce emissions from such burning to the December 31, 2000, target level in all subsequent years.

Sec. 404. RCW 70.94.660 and 1971 ex.s. c 232 s 2 are each amended to read as follows:

(1) The department of natural resources shall have the responsibility for issuing and regulating burning permits required by it relating to the following activities ~~((declared to be))~~ for the protection of life or property and/or ~~((in))~~ for the public health, safety, and welfare:

~~((1))~~ (a) Abating a forest fire hazard;

~~((2))~~ (b) Prevention of a fire hazard;

~~((3))~~ (c) Instruction of public officials in methods of forest fire fighting; ~~((and~~

4)) (d) Any silvicultural operation to improve the forest lands of the state; and

(e) Silvicultural burning used to improve or maintain fire dependent ecosystems for rare plants or animals within state, federal, and private natural area preserves, natural resource conservation areas, parks, and other wildlife areas.

(2) The department of natural resources shall not retain such authority, but it shall be the responsibility of the appropriate fire protection agency for permitting and regulating outdoor burning on lands where the department of natural resources does not have fire protection responsibility.

(3) Permit fees shall be assessed for silvicultural burning under the jurisdiction of the department of natural resources and collected by the department of natural resources as provided for in this section. All fees shall be deposited in the air pollution control account, created in section 245 of this act. The legislature shall appropriate to the department of natural resources funds from the air pollution control account to enforce and administer the program under section 403 of this act and RCW 70.94.660, 70.94.670, and 70.94.690. Fees shall be set by rule by the department of natural resources at the level necessary to cover the costs of the program.

Sec. 405. RCW 70.94.670 and 1971 ex.s. c 232 s 3 are each amended to read as follows:

The department of natural resources in granting burning permits for fires for the purposes set forth in RCW 70.94.660 shall condition the issuance and use of such permits to comply with air quality standards established by the department of ecology after full consultation with the department of natural resources. Such burning shall not cause the state air quality standards ~~((for suspended particulate matter))~~ to be exceeded in the ambient air up to two thousand feet above ground level over critical areas designated by the department of ecology, otherwise subject to air pollution from other sources. Air quality standards ~~((for suspended particulate matter))~~ shall be established and published by the department of ecology which shall also establish a procedure for advising the department of natural resources when ~~((the))~~ and where air contaminant levels exceed~~((s))~~ or threaten~~((s))~~ to exceed the ambient air standards over such critical areas. The ~~((suspended particulate matter))~~ air quality shall be quantitatively measured by the department of ecology or the appropriate local air pollution control authority at established ~~((primary air mass stations or primary ground level))~~ monitoring stations over such designated areas. Further, such permitted burning shall not cause damage to public health or the environment. All permits issued under this section shall be subject to all applicable fees, permitting, penalty, and enforcement provisions of this chapter. The department of natural resources shall set forth smoke dispersal objectives designed

consistent with this section to minimize any air pollution (~~((from smoke))~~) from such burning and the procedures necessary to meet those objectives.

The department of natural resources shall encourage more intense utilization in logging and alternative silviculture practices to reduce (~~((forest fire hazards and shall encourage development and use of procedures and equipment to burn forest debris in a manner that will produce less smoke))~~) the need for burning. The department of natural resources shall, whenever practical, encourage development and use of alternative acceptable disposal methods subject to the following priorities: (1) Slash production minimization, (2) slash utilization, (3) nonburning disposal, (4) silvicultural burning. Such alternative methods shall be evaluated as to the relative impact on air, water, and land pollution, public health, and their financial feasibility.

The department of natural resources shall not issue burning permits and shall revoke previously issued permits at any time in any area where the department of ecology or local board has declared a stage of impaired air quality as defined in RCW 70.94.473.

Sec. 406. RCW 70.94.690 and 1971 ex.s. c 232 s 5 are each amended to read as follows:

In the regulation of outdoor burning not included in RCW 70.94.660 requiring permits from the department of natural resources, said department and the state, local, or regional air pollution control authorities will cooperate in regulating such burning so as to minimize insofar as possible duplicate inspections and separate permits while still accomplishing the objectives and responsibilities of the respective agencies. The department of natural resources shall include any local authority's burning regulations with permits issued where applicable pursuant to RCW 70.94.740 through 70.94.775. The department shall develop agreements with all local authorities to coordinate regulations.

Permits shall be withheld by the department of natural resources when so requested by the department of ecology if a forecast, alert, warning, or emergency condition exists as defined in the episode criteria of the department of ecology.

NEW SECTION. Sec. 407. A new section is added to chapter 70.94 RCW to read as follows:

Nothing contained in this chapter shall prohibit fires necessary: (1) To promote the regeneration of rare and endangered plants found within natural area preserves as identified under chapter 79.70 RCW; and (2) for Indian ceremonies or for the sending of smoke signals if part of a religious ritual. Permits issued for burning under this section shall be drafted to minimize emissions including denial of permission to burn during periods of adverse meteorological conditions.

Sec. 408. RCW 70.94.650 and 1971 ex.s. c 232 s 1 are each amended to read as follows:

(1) Any person who proposes to set fires in the course of (~~((the following: (1) weed abatement, (2) instruction in methods of fire fighting (except forest fires), or (3) Disease prevention relating to))~~) (c) agricultural activities, shall, prior to carrying out the same, obtain a permit from an air pollution control authority or the department of ecology, as appropriate. Each such authority and the department of ecology shall, by rule or ordinance, establish a permit system to carry out the provisions of this section except as provided in RCW 70.94.660. General criteria of state-wide applicability for ruling on such permits shall be established by the department, by rule (~~((or regulation))~~), after consultation with the various air pollution control authorities. Permits shall be issued under this section based on seasonal operations or by individual operations, or both (~~((: PROVIDED, That))~~). All permits so issued shall be conditioned to insure that the public interest in air, water, and land pollution and safety to life and property is fully considered. In addition to any other requirements established by the department to protect air quality pursuant to other laws, applicants for permits must show that the setting of fires as requested is the most reasonable procedure to follow in

safeguarding life or property under all circumstances or is otherwise reasonably necessary to successfully carry out the enterprise in which the applicant is engaged ((in)), or both. All burning permits will be designed to minimize air pollution insofar as practical. Nothing in this section shall relieve the applicant from obtaining permits, licenses, or other approvals required by any other law ((:—PROVIDED FURTHER, That)). An application for a permit to set fires in the course of agricultural burning for controlling diseases, insects, ((and)) weed abatement or development of physiological conditions conducive to increased crop yield, shall be ((granted)) acted upon within ((fourteen)) seven days from the date such application is filed((:—PROVIDED, That nothing herein shall prevent a householder from setting fire in the course of burning leaves, clippings or trash when otherwise permitted locally. Nothing contained herein shall prohibit Indian campfires or the sending of smoke signals if part of a religious ritual)).

(2) Except as provided in RCW 70.94.780 permit fees shall be assessed for outdoor burning under this section and shall be collected by the department of ecology or the appropriate local air authority at the time the permit is issued. All fees collected shall be deposited in the air pollution control account created in section 245 of this act. Fees shall be set by rule by the permitting agency at the level necessary to cover the costs of administering and enforcing the permit programs, to provide funds for research into alternative methods to reduce emissions from such burning, and to the extent possible be consistent with fees charged for such burning permits in neighboring states.

The permitting agency shall provide, to the extent possible, in its rules developed under this subsection for lesser fees for permittees who use best management practices to minimize air contaminant emissions. After fees are established by rule, any increases in such fees shall be limited to annual inflation adjustments as determined by the state office of the economic and revenue forecast council.

(3) Conservation districts and the Washington State University agricultural extension program in conjunction with the department shall develop public education material for the agricultural community identifying the health and environmental affects of agricultural outdoor burning and providing technical assistance in alternatives to agricultural outdoor burning.

(4) An agricultural burning practices and research task force shall be established under the direction of the department. The task force shall be composed of a representative from the department who shall serve as chair; one representative of eastern Washington local air authorities; three representatives of the agricultural community from different agricultural pursuits; one representative of the department of agriculture; two representatives from universities or colleges knowledgeable in agricultural issues; one representative of the public health or medical community; and one representative of the conservation districts. The task force shall identify best management practices for reducing air contaminant emissions from agricultural activities and provide such information to the department and local air authorities. The task force shall identify research needs related to minimizing emissions from agricultural burning and alternatives to such burning. Further, the task force shall make recommendations to the department on priorities for spending funds provided through this chapter for research into alternative methods to reduce emissions from agricultural burning.

Sec. 409. RCW 70.94.654 and 1973 1st ex.s. c 193 s 6 are each amended to read as follows:

Whenever the department of ecology shall find that any fire protection agency, county, or conservation district which is outside the jurisdictional boundaries of an activated air pollution control authority is capable of effectively administering the issuance and enforcement of permits for any or all of the kinds of burning identified in RCW 70.94.650 ((1) and (3)) and desirous of doing so, the department of ecology may delegate ((all)) powers necessary for the issuance ((and)) or enforcement, or both, of permits for any or all of the kinds of burning to the fire protection agency, county((:

~~PROVIDED, That~~), or conservation district. Such delegation may be withdrawn by the department of ecology upon ~~((\*)~~) its finding that the fire protection agency, county, or conservation district is not effectively administering the permit program.

Sec. 410. RCW 70.94.775 and 1974 ex.s. c 164 s 1 are each amended to read as follows:

No person shall cause or allow any outdoor fire:

(1) Containing garbage, dead animals, asphalt, petroleum products, paints, rubber products, plastics, or any substance other than natural vegetation ~~((which))~~ that normally emits dense smoke or obnoxious odors ~~((except as provided in RCW 70.94.650: PROVIDED, That))~~. Agricultural heating devices ((which)) that otherwise meet the requirements of this chapter shall not be considered outdoor fires under this section;

(2) During a forecast, alert, warning or emergency condition as defined in RCW 70.94.715 or impaired air quality condition as defined in RCW 70.94.473;

(3) In any area which has been designated by the department of ecology or board of an activated authority as an area exceeding or threatening to exceed state or federal ambient air quality standards ~~((, or after July 1, 1976, state ambient air quality goals for particulates)),~~ except instructional fires permitted by RCW 70.94.650(2).

Sec. 411. RCW 70.94.780 and 1973 1st ex.s. c 193 s 10 are each amended to read as follows:

In addition to any other powers granted to them by law, the fire protection agency, county, or conservation district authorized to issue burning permits ~~((may))~~ shall regulate or prohibit outdoor burning ((in order)) as necessary to prevent or abate the nuisances caused by such burning. No fire protection agency, county, or conservation district may issue a burning permit in an area where the department or local board has declared any stage of impaired air quality per RCW 70.94.473 or any stage of an air pollution episode. All burning permits issued shall be subject to all applicable fee, permitting, penalty, and enforcement provisions of this chapter. The permitted burning shall not cause damage to public health or the environment.

Any entity authorized to issue a permit under this section may charge a fee at the level necessary to recover the costs of administering and enforcing the permit program.

Sec. 412. RCW 70.94.750 and 1972 ex.s. c 136 s 3 are each amended to read as follows:

The following outdoor fires described in this section may be burned subject to the provisions of ~~((the program established pursuant to RCW 70.94.755 for any area))~~ this chapter and also subject to city ordinances, county resolutions, ((and) rules ((and regulations)) of fire districts and laws, and rules ((and regulations)) enforced by the department of natural resources if a permit has been issued by a fire protection agency, county, or conservation district:

(1) Fires consisting of leaves, clippings, prunings and other yard and gardening refuse originating on lands immediately adjacent and in close proximity to a human dwelling and burned on such lands by the property owner or his or her designee.

(2) Fires consisting of residue of a natural character such as trees, stumps, shrubbery or other natural vegetation arising from land clearing projects or agricultural pursuits for pest or disease control; provided the fires described in this subsection may be prohibited in those areas having a general population density of one thousand or more persons per square mile.

"V.

#### WOODSTOVES AND FIREPLACES"

Sec. 501. RCW 70.94.457 and 1987 c 405 s 4 are each amended to read as follows: ~~((Before January 1, 1988,))~~ The department of ecology shall establish by rule under chapter 34.05 RCW:

(1) State-wide emission performance standards for new wood stoves. Notwithstanding any other provision of this chapter which allows an authority to adopt

more stringent emission standards, no authority shall adopt any emission standard for new wood stoves other than the state-wide standard adopted by the department under this section.

(a) ~~((For new wood stoves sold after July 1, 1988, the state wide performance standard, by rule, shall be the equivalent of and consistent with state wide emission standards in effect in bordering states on or before January 1, 1987. For solid fuel burning devices for which bordering states have not established emission standards, the department may temporarily exempt or establish, by rule, state wide standards including emission levels and test procedures for such devices and such emission levels and test procedures shall be equivalent to emission levels per pound per hour burned for other new wood stoves regulated by this subsection))~~ After January 1, 1993, no solid fuel burning device shall be offered for sale that has particulate air contaminant emissions exceeding four and one-half grams per hour, except that catalytic wood stoves shall not have contaminant emissions exceeding two and one-half grams per hour.

(b) After January 1, 1995, no solid fuel burning device shall be offered for sale that has particulate air contaminant emissions exceeding two and one-half grams per hour, except that catalytic wood stoves shall not have contaminant emissions exceeding one and four-tenths gram per hour.

(c) After January 1, 1993, no fireplace, except masonry fireplaces, shall be offered for sale unless such fireplace meets the 1988 United States environmental protection agency standards for wood stoves.

(d) After January 1, 1995, no fireplace, except masonry fireplaces, shall be offered for sale unless such fireplace meets the 1990 United States environmental protection agency standards for wood stoves.

(e) Subsection (1) (a) and (b) of this section shall not apply to fireplaces.

~~((b))~~ (f) Notwithstanding (a) of this subsection, the department is authorized to adopt, by rule, emission standards adopted by the United States environmental protection agency for new wood stoves sold at retail. For solid fuel burning devices for which the United States environmental protection agency has not established emission standards, the department may ((temporarily)) exempt or establish, by rule, state-wide standards including emission levels and test procedures for such devices and such emission levels and test procedures shall be equivalent to emission levels per pound per hour burned for other new wood stoves and fireplaces regulated under this subsection.

(2) A program to:

(a) Determine whether a new ~~((wood stove))~~ solid fuel burning device complies with the state-wide emission performance standards established in subsection (1) of this section; and

(b) Approve the sale of ~~((stoves))~~ devices that comply with the state-wide emission performance standards.

Sec. 502. RCW 70.94.470 and 1987 c 405 s 5 are each amended to read as follows:

(1) ~~((Before January 1, 1988,))~~ The department shall establish, by rule under chapter 34.05 RCW, ((state wide opacity levels for residential solid fuel burning devices as follows:

(a) A state wide opacity level of twenty percent for the purpose of public education;

(b) Until July 1, 1990, a state wide opacity level of forty percent for the purpose of enforcement on a complaint basis; and

(c) After July 1, 1990, a) (a) state-wide opacity level of twenty percent for residential solid fuel burning devices for the purpose of enforcement on a complaint basis and (b) after July 1, 1995, a state-wide opacity of ten percent for purposes of enforcement on a complaint basis.

(2) Notwithstanding any other provision of this chapter which may allow an authority to adopt a more stringent opacity level, no authority shall adopt or enforce an opacity level((:

~~(a) Lower than forty percent until July 1, 1990; and  
(b) Lower than twenty percent after July 1, 1990)) for solid fuel burning devices other than established in this section.~~

NEW SECTION. Sec. 503. A new section is added to chapter 70.94 RCW to read as follows:

After January 1, 1992, no used solid fuel burning device shall be installed in new or existing buildings unless such device is either Oregon department of environmental quality phase II or United States environmental protection agency certified or a pellet stove either certified or exempt from certification by the United States environmental protection agency.

(1) By July 1, 1992, the state building code council shall adopt rules requiring an adequate source of heat other than woodstoves in all new and substantially remodeled residential and commercial construction. This rule shall apply to areas designated by a county to be an urban growth area under chapter 36.70A RCW.

(2) For purposes of this section, "substantially remodeled" means any alteration or restoration of a building exceeding sixty percent of the appraised value of such building within a twelve-month period.

Sec. 504. RCW 70.94.473 and 1990 c 128 s 2 are each amended to read as follows:

(1) Any person in a residence or commercial establishment which has an adequate source of heat without burning wood shall:

(a) Not burn wood in any solid fuel burning device whenever the department has determined under RCW 70.94.715 that any air pollution episode exists in that area;

(b) Not burn wood in any solid fuel burning device except those which ~~((meet the standards set forth in RCW 70.94.457,))~~ are either Oregon department of environmental quality phase II or United States environmental protection agency certified or certified by the department under RCW 70.94.457(1)(b) or a pellet stove either certified or issued an exemption ((certificate)) by the United States environmental protection agency in accordance with Title 40, Part 60 of the code of federal regulations, in the geographical area and for the period of time that a first stage of impaired air quality has been determined, by the department or any authority, for that area. A first stage of impaired air quality is reached when particulates ten microns and smaller in diameter are at an ambient level of seventy-five micrograms per cubic meter measured on a twenty-four hour average or when carbon monoxide is at an ambient level of eight parts of contaminant per million parts of air by volume measured on an eight-hour average; and

(c) Not burn wood in any solid fuel burning device, including those which meet the standards set forth in RCW 70.94.457, in a geographical area and for the period of time that a second stage of impaired air quality has been determined by the department or any authority, for that area. A second stage of impaired air quality is reached when particulates ten microns and smaller in diameter are at an ambient level of one hundred five micrograms per cubic meter measured on a twenty-four hour average.

(2) ~~((When))~~ If a local air authority exercises the limitation on solid fuel burning devices specified under RCW 70.94.477(2), a single stage of impaired air quality applies in the geographical area defined by the authority in accordance with RCW 70.94.477(2) and is reached when particulates ten microns and smaller in diameter are at an ambient level of ninety micrograms per cubic meter measured on a twenty-four hour average or when carbon monoxide is at an ambient level of eight parts of contaminant per million parts of air by volume measured on an eight-hour average.

~~((When))~~ If this single stage of impaired air quality is reached, no person in a residence or commercial establishment ((which)) that has an adequate source of heat without burning wood shall burn wood in any solid fuel burning device, including those which meet the standards set forth in RCW 70.94.457.

Sec. 505. RCW 70.94.483 and 1990 c 128 s 5 are each amended to read as follows:

(1) The wood stove education and enforcement account is hereby created in the general fund. Money placed in the account shall include all money received under subsection (2) of this section and any other money appropriated by the legislature. Money in the account shall be spent for the purposes of the wood stove education program established under RCW 70.94.480 and for enforcement of the wood stove program, and shall be subject to legislative appropriation.

(2) The department of ecology, with the advice of the advisory committee, shall set a flat fee (~~(, not to exceed fifteen)~~) of thirty dollars, on the retail sale, as defined in RCW 82.04.050, of each solid fuel burning device, excepting masonry fireplaces, after January 1, ~~((1988))~~ 1992. The fee shall be imposed upon the consumer and shall not be subject to the retail sales tax provisions of chapters 82.08 and 82.12 RCW. The fee may be adjusted annually above ~~((fifteen))~~ thirty dollars ~~((according to changes in the consumer price index after January 1, 1989))~~ to account for inflation as determined by the state office of the economic and revenue forecast council. The fee shall be collected by the department of revenue in conjunction with the retail sales tax under chapter 82.08 RCW. If the seller fails to collect the fee herein imposed or fails to remit the fee to the department of revenue in the manner prescribed in chapter 82.08 RCW, the seller shall be personally liable to the state for the amount of the fee. The collection provisions of chapter 82.32 RCW shall apply. The department of revenue shall deposit fees collected under this section in the wood stove education and enforcement account.

Sec. 506. RCW 70.94.041 and 1983 c 3 s 175 are each amended to read as follows:

Except as otherwise provided in this section, any building or structure listed on the national register of historic sites, structures, or buildings established pursuant to 80 Stat. 915, 16 U.S.C. Sec. 470a, or on the state register established pursuant to RCW ~~((43.51A.080))~~ 27.34.220, shall be permitted to burn wood as it would have when it was a functioning facility as an authorized exception to the provisions of this chapter. Such burning of wood shall not be exempted from the provisions of RCW 70.94.710 through 70.94.730.

Sec. 507. RCW 70.94.656 and 1990 c 113 s 1 are each amended to read as follows:

It is hereby declared to be the policy of this state that strong efforts should be made to minimize adverse effects on air quality from the open burning of field and turf grasses grown for seed. To such end this section is intended to promote the development of economical and practical alternate agricultural practices to such burning, and to provide for interim regulation of such burning until practical alternates are found.

(1) The department shall approve of a study or studies for the exploration and identification of economical and practical alternate agricultural practices to the open burning of field and turf grasses grown for seed. Prior to the issuance of any permit for such burning under RCW 70.94.650, there shall be collected a fee not to exceed one dollar per acre of crop to be burned. Any such fees received by any authority shall be transferred to the department of ecology. The department of ecology shall deposit all such acreage fees in a special grass seed burning research account, hereby created, in the state treasury. All earnings of investments of balances in the special grass seed burning research account shall be credited to the general fund. The department shall allocate moneys annually from this account for the support of any approved study or studies as provided for in this subsection. For the conduct of any such study or studies, the department may contract with public or private entities: PROVIDED, That whenever the department of ecology shall conclude that sufficient reasonably available alternates to open burning have been developed, and at such time as all costs of any studies have been paid, the grass seed burning research account shall be dissolved, and any money remaining therein shall revert to the general fund.

The fee collected under this subsection shall constitute the research portion of fees required under RCW 70.94.650 for open burning of grass grown for seed.

(2) Whenever on the basis of information available to it, the department after public hearings have been conducted wherein testimony will be received and considered from interested parties wishing to testify shall conclude that any procedure, program, technique, or device constitutes a practical alternate agricultural practice to the open burning of field or turf grasses grown for seed, the department shall, by order, certify approval of such alternate. Thereafter, in any case which any such approved alternate is reasonably available, the open burning of field and turf grasses grown for seed shall be disallowed and no permit shall issue therefor.

(3) Until approved alternates become available, the department or the authority may limit the number of acres on a pro rata basis among those affected for which permits to burn will be issued in order to effectively control emissions from this source.

(4) Permits issued for burning of field and turf grasses may be conditioned to minimize emissions insofar as practical, including denial of permission to burn during periods of adverse meteorological conditions.

"VI.

#### GLOBAL WARMING AND OZONE DEPLETION"

NEW SECTION. Sec. 601. The legislature finds that:

(1) The release of chlorofluorocarbons and other ozone-depleting chemicals into the atmosphere contributes to the destruction of stratospheric ozone and threatens plant and animal life with harmful overexposure to ultraviolet radiation;

(2) The technology and equipment to extract and recover chlorofluorocarbons and other ozone-depleting chemicals from air conditioners, refrigerators, and other appliances are available;

(3) A number of nonessential consumer products contain ozone-depleting chemicals; and

(4) Unnecessary releases of chlorofluorocarbons and other ozone-depleting chemicals from these sources should be eliminated.

NEW SECTION. Sec. 602. A new section is added to chapter 70.94 RCW to read as follows:

(1) Regulated refrigerant means a class I or class II substance as listed in Title VI of section 602 of the federal clean air act amendments of November 15, 1990.

(2) A person who services or repairs or disposes of a motor vehicle air conditioning system; commercial or industrial air conditioning, heating, or refrigeration system; or consumer appliance shall use refrigerant extraction equipment to recover regulated refrigerant that would otherwise be released into the atmosphere. This subsection does not apply to off-road commercial equipment.

(3) Upon request, the department shall provide information and assistance to persons interested in collecting, transporting, or recycling regulated refrigerants.

(4) The willful release of regulated refrigerant from a source listed in subsection (2) of this section is prohibited.

NEW SECTION. Sec. 603. A new section is added to chapter 70.94 RCW to read as follows:

No person may sell, offer for sale, or purchase any of the following:

(1) A regulated refrigerant in a container designed for consumer recharge of a motor vehicle air conditioning system or consumer appliance during repair or service. This subsection does not apply to a regulated refrigerant purchased for the recharge of the air conditioning system of off-road commercial or agricultural equipment and sold or offered for sale at an establishment which specializes in the sale of off-road commercial or agricultural equipment or parts or service for such equipment;

(2) A cleaning spray designed for noncommercial or nonindustrial cleaning of electronic or photographic equipment that contains chlorofluorocarbons or other ozone-depleting chemicals; and

(3) Nonessential consumer products that contain chlorofluorocarbons or other ozone-depleting chemicals, and for which substitutes are readily available. Products affected under this subsection shall include, but are not limited to, party streamers, tire inflators, air horns, and noise makers.

NEW SECTION. Sec. 604. A new section is added to chapter 70.94 RCW to read as follows:

The department shall adopt rules to implement sections 602 and 603 of this act. Rules shall include but not be limited to minimum performance specifications for refrigerant extraction equipment, as well as procedures for enforcing sections 602 and 603 of this act.

Enforcement provisions adopted by the department shall not include penalties or fines in areas where equipment to collect or recycle regulated refrigerants is not readily available.

## "VII.

### MISCELLANEOUS SECTIONS"

Sec. 701. RCW 70.94.053 and 1987 c 505 s 60 and 1987 c 109 s 34 are each reenacted and amended to read as follows:

(1) In each county of the state there is hereby created an air pollution control authority, which shall bear the name of the county within which it is located. The boundaries of each authority shall be coextensive with the boundaries of the county within which it is located. An authority shall include all incorporated and unincorporated areas of the county within which it is located.

(2) All authorities which are presently ~~((or may hereafter be within counties of the first class, class A or class AA, are hereby designated as))~~ activated authorities ~~((and))~~ shall carry out the duties and exercise the powers provided in this chapter. Those activated authorities ((hereby activated)) which encompass contiguous counties ~~((located in one or the other of the two major areas determined in RCW 70.94.011))~~ are declared to be and directed to function as a multicounty authority.

(3) Except as provided in RCW 70.94.232, all other air pollution control authorities are hereby designated as inactive authorities.

(4) The boards of those authorities designated as activated authorities by this chapter shall be comprised of such appointees and/or county commissioners or other officers as is provided in RCW 70.94.100. ~~((The first meeting of the boards of those authorities designated as activated authorities by this chapter shall be on or before sixty days after June 8, 1967.~~

~~((5) The department is directed to conduct the necessary evaluations and delineate appropriate air pollution regions throughout the state, taking into consideration:~~

~~((a) The natural climatic and topographic features affecting the potential for buildup of air contaminant concentrations.~~

~~((b) The degree of urbanization and industrialization and the existence of activities which are likely to cause air pollution.~~

~~((c) The county boundaries as related to the air pollution regions and the practicality of administering air pollution control programs.))~~

Sec. 702. RCW 70.94.055 and 1967 c 238 s 5 are each amended to read as follows:

The board of county commissioners of any county ~~((other than a first class, class A or class AA county))~~ may activate an air pollution control authority following a public hearing on its own motion, or upon a filing of a petition signed by one hundred property owners within the county. If the board of county commissioners determines as a result of the public hearing that:

(1) Air pollution exists or is likely to occur; and

(2) The city or town ordinances, or county resolutions, or their enforcement, are inadequate to prevent or control air pollution, they ~~((shall))~~ may by resolution activate an

air pollution control authority or combine with a contiguous county or counties to form a multicounty air pollution control authority.

Sec. 703. RCW 70.94.092 and 1975 1st ex.s. c 106 s 1 are each amended to read as follows:

Notwithstanding the provisions of RCW 1.16.030, the budget year of each activated authority shall be the fiscal year beginning July 1st and ending on the following June 30th. ~~((The current budget year shall be terminated June 30, 1975, and a budget for the fiscal year beginning July 1, 1975, shall be adopted pursuant to this section as now or hereafter amended.))~~ On or before the fourth Monday in June of each year, each activated authority shall adopt a budget for the following fiscal year. The activated authority budget shall contain adequate funding and provide for staff sufficient to carry out the provisions of all applicable ordinances, resolutions, and local regulations related to the reduction, prevention, and control of air pollution. The legislature acknowledges the need for the state to provide reasonable funding to local authorities to carry out the requirements of this chapter. The budget shall contain an estimate of all revenues to be collected during the following budget year, including any surplus funds remaining unexpended from the preceding year. The remaining funds required to meet budget expenditures, if any, shall be designated as "supplemental income" and shall be obtained from the component cities, towns, and counties in the manner provided in this chapter. The affirmative vote of three-fourths of all members of the board shall be required to authorize emergency expenditures.

Sec. 704. RCW 70.94.100 and 1989 c 150 s 1 are each amended to read as follows:

(1) The governing body of each authority shall be known as the board of directors.

(2) In the case of an authority comprised of one county the board shall be comprised of two appointees of the city selection committee ~~((as hereinafter provided))~~, at least one of whom shall represent the city having the most population in the county, and two representatives to be designated by the board of county commissioners. In the case of an authority comprised of two ~~((or))~~ three, four, or five counties, the board shall be comprised of one appointee ~~((of the city selection committee of))~~ from each county ~~((as hereinafter provided))~~, who shall represent the city having the most population in such county, to be designated by the mayor and city council of such city, and one representative from each county to be designated by the board of county commissioners of each county making up the authority. ~~((In the case of an authority comprised of four or five counties, the board shall be comprised of one appointee of the city selection committee of each county as hereinafter provided who shall represent the city having the most population in such county, and one representative from each county to be designated by the board of county commissioners of each county making up the authority.))~~ In the case of an authority comprised of six or more counties, the board shall be comprised of one representative from each county to be designated by the board of county commissioners of each county making up the authority, and ~~((one))~~ three appointees, one each from ~~((each city with over one hundred thousand population))~~ the three largest cities within the local authority's jurisdiction to be appointed by the mayor and city council of such city.

(3) If the board of an authority otherwise would consist of an even number, the members selected as above provided shall agree upon and elect an additional member who shall be either a member of the governing body of one of the towns, cities or counties comprising the authority, or a private citizen residing in the authority. ~~((All board members shall hold office at the pleasure of the appointing body.))~~

(4) The terms of office of board members shall be four years.

(5) Wherever a member of a board has a potential conflict of interest in an action before the board, the member shall declare to the board the nature of the potential conflict prior to participating in the action review. The board shall, if the potential conflict of

interest, in the judgment of a majority of the board, may prevent the member from a fair and objective review of the case, remove the member from participation in the action.

Sec. 705. RCW 70.94.130 and 1969 ex.s. c 168 s 15 are each amended to read as follows:

The board shall exercise all powers of the authority except as otherwise provided. The board shall conduct its first meeting within thirty days after all of its members have been appointed or designated as provided in RCW 70.94.100. The board shall meet at least ten times per year. All meetings shall be publicly announced prior to their occurrence. All meetings shall be open to the public. A majority of the board shall constitute a quorum for the transaction of business and shall be necessary for any action taken by the board. The board shall elect from its members a ~~((chairman))~~ chair and such other officers as may be necessary. Any member of the board may designate a regular alternate to serve on the board in his or her place with the same authority as the member when he or she is unable to attend. Each member of the board, or his or her representative, shall receive from the authority ~~((twenty five dollars per day))~~ compensation consistent with such authority's rates (but not to exceed one thousand dollars per year) for ~~((each full day))~~ time spent in the performance of ~~((his))~~ duties under this chapter, plus the actual and necessary expenses incurred by ~~((him))~~ the member in such performance. The board may appoint ~~((an executive director))~~ a control officer, and any other personnel, and shall determine their salaries, and pay same, together with any other proper indebtedness, from authority funds.

Sec. 706. RCW 70.94.170 and 1969 ex.s. c 168 s 21 are each amended to read as follows:

Any activated authority which has adopted an ordinance, resolution, or valid rules and regulations as provided herein for the control and prevention of air pollution shall appoint a full time control officer, ~~((who))~~ whose sole responsibility shall be to observe and enforce the provisions of this chapter and all orders, ordinances, resolutions, or rules and regulations of such activated authority pertaining to the control and prevention of air pollution.

Sec. 707. RCW 70.94.231 and 1969 ex.s. c 168 s 29 are each amended to read as follows:

Upon the date that an authority begins to exercise its powers and functions, all ~~((districts formed as a district under chapter 70.94 RCW prior to June 8, 1967 which previously were wholly or partially composed of one or more cities or towns located within such activated authority shall be considered to be dissolved but its))~~ rules and regulations in force on such date shall remain in effect until superseded by the rules and regulations of the authority as provided in RCW 70.94.230. ~~((In such event, the board of any such district shall proceed to wind up the affairs of the district in the same manner as if the district were dissolved as provided in RCW 70.94.260.))~~

Sec. 708. RCW 70.94.240 and 1969 ex.s. c 168 s 30 are each amended to read as follows:

The board of any authority ~~((shall))~~ may appoint an air pollution control advisory council to advise and consult with such board, and the control officer in effectuating the purposes of this chapter. The council shall consist of at least five appointed members who are residents of the authority and who are preferably skilled and experienced in the field of air pollution control, ~~((two))~~ chemistry, meteorology, public health, or a related field, at least one of whom shall serve as a representative((s)) of industry and one of whom shall serve as a representative of the environmental community. The ~~((chairman))~~ chair of the board of any such authority shall serve as ex officio member of the council and be its ~~((chairman))~~ chair. Each member of the council shall receive from the authority per diem and travel expenses in an amount not to exceed that provided for the state board in this chapter (but not to exceed one thousand dollars per year) for each full day spent in the performance of his or her duties under this chapter.

Sec. 709. RCW 70.94.331 and 1988 c 106 s 1 are each amended to read as follows:

(1) The department shall have all the powers as provided in RCW 70.94.141.

(2) The department, in addition to any other powers vested in it by law after consideration at a public hearing held in accordance with chapters 42.30 ((RCW)) and ((chapter)) 34.05 RCW shall:

(a) Adopt rules ((and regulations)) establishing air quality objectives and air quality standards;

(b) Adopt emission standards which shall constitute minimum emission standards throughout the state. An authority may enact more stringent emission standards, except for emission performance standards for new wood stoves and opacity levels for residential solid fuel burning devices which shall be state-wide, but in no event may less stringent standards be enacted by an authority without the prior approval of the department after public hearing and due notice to interested parties;

(c) Adopt by rule ((and regulation)) air quality standards and emission standards for the control or prohibition of emissions to the outdoor atmosphere of radionuclides, dust, fumes, mist, smoke, other particulate matter, vapor, gas, odorous substances, or any combination thereof. Such requirements may be based upon a system of classification by types of emissions or types of sources of emissions, or combinations thereof, which it determines most feasible for the purposes of this chapter. However, an industry, or the air pollution control authority having jurisdiction, can choose, subject to the submittal of appropriate data that the industry has quantified, to have any limit on the opacity of emissions from a source whose emission standard is stated in terms of a weight of particulate per unit volume of air (e.g., grains per dry standard cubic foot) be based on the applicable particulate emission standard for that source, such that any violation of the opacity limit accurately indicates a violation of the applicable particulate emission standard. Any alternative opacity limit provided by this section that would result in increasing air contaminants emissions in any nonattainment area shall only be granted if equal or greater emission reductions are provided for by the same source obtaining the revised opacity limit. A reasonable fee may be assessed to the industry to which the alternate opacity standard would apply. The fee shall cover only those costs to the air pollution control authority which are directly related to the determination on the acceptability of the alternate opacity standard, including testing, oversight and review of data.

(3) The air quality standards and emission standards may be for the state as a whole or may vary from area to area or source to source, except that emission performance standards for new wood stoves and opacity levels for residential solid fuel burning devices shall be state-wide, as may be appropriate to facilitate the accomplishment of the objectives of this chapter and to take necessary or desirable account of varying local conditions of population concentration, the existence of actual or ((reasonable)) reasonably foreseeable air pollution, topographic and meteorologic conditions and other pertinent variables.

(4) The department is directed to cooperate with the appropriate agencies of the United States or other states or any interstate agencies or international agencies with respect to the control of air pollution and air contamination, or for the formulation for the submission to the legislature of interstate air pollution control compacts or agreements.

(5) The department is directed to conduct or cause to be conducted a continuous surveillance program to monitor the quality of the ambient atmosphere as to concentrations and movements of air contaminants and conduct or cause to be conducted a program to determine the quantity of emissions to the atmosphere.

(6) The department shall enforce the air quality standards and emission standards throughout the state except where a local authority is enforcing the state regulations or its own regulations which are more stringent than those of the state.

(7) The department shall encourage local units of government to handle air pollution problems within their respective jurisdictions; and, on a cooperative basis provide technical and consultative assistance therefor.

(8) The department shall have the power to require the addition to or deletion of a county or counties from an existing authority in order to carry out the purposes of this chapter (~~(- PROVIDED, HOWEVER, That)~~). No such addition or deletion shall be made without the concurrence of any existing authority involved. Such action shall only be taken after a public hearing held pursuant to the provisions of chapter 34.05 RCW.

Sec. 710. RCW 70.94.332 and 1987 c 109 s 18 are each amended to read as follows:

Whenever the department of ecology has reason to believe that any provision of this chapter or any rule or regulation adopted by it or being enforced by it under RCW 70.94.410 relating to the control or prevention of air pollution has been violated, it may cause written notice to be served upon the alleged violator or violators. The notice shall specify the provision of this chapter or the rule or regulation alleged to be violated, and the facts alleged to constitute a violation thereof, and may include an order that necessary corrective action be taken within a reasonable time. In lieu of an order, the department may require that the alleged violator or violators appear before it for the purpose of providing the department information pertaining to the violation or the charges complained of. In addition to or in place of an order or hearing, the department may initiate action pursuant to RCW 70.94.425, 70.94.430, 70.94.431, and 70.94.435.

Sec. 711. RCW 70.94.385 and 1987 c 109 s 41 are each amended to read as follows:

(1) Any authority may apply to the department for state financial aid. The department shall (~~(by rule and regulation)~~) annually establish the (~~(ratio)~~) amount of state funds (~~(to)~~) available for the local (~~(funds)~~) authorities taking into consideration available federal and state funds. The establishment of funding amounts shall be consistent with federal requirements and local maintenance of effort necessary to carry out the provisions of this chapter. Any such aid shall be expended from the general fund or from (~~(such)~~) other appropriations as the legislature may provide for this purpose: PROVIDED, That federal funds shall be utilized to the maximum unless otherwise approved by the department: PROVIDED FURTHER, That the (~~(ratio)~~) amount of state funds provided to local (~~(funds of)~~) authorities during the previous year shall not be (~~(changed)~~) reduced without a public notice or public hearing held by the department if requested by the affected local authority, unless such changes are the direct result of a reduction in the available federal funds for air pollution control programs.

(2) Before any such application is approved and financial aid is given or approved by the department, the authority shall demonstrate to the satisfaction of the department that it is fulfilling the requirements of (~~(RCW 70.94.380, or,)~~) this chapter. If the department has not adopted ambient air quality standards and objectives as permitted by RCW 70.94.331, the authority shall demonstrate to the satisfaction of the department that it is acting in good faith and doing all that is possible and reasonable to control and prevent air pollution within its jurisdictional boundaries and to carry out the purposes of this chapter.

(3) The department shall adopt rules (~~(and regulations)~~) requiring the submission of such information by each authority including the submission of its proposed budget and a description of its program in support of the application for state financial aid as necessary to enable the department to determine the need for state aid.

Sec. 712. RCW 70.94.395 and 1987 c 109 s 43 are each amended to read as follows:

If the department finds, after public hearing upon due notice to all interested parties, that the emissions from a particular type or class of air contaminant source should be regulated on a state-wide basis in the public interest and for the protection of the welfare

of the citizens of the state, it may adopt and enforce rules ~~((and regulations))~~ to control and/or prevent the emission of air contaminants from such source ~~((: PROVIDED, That))~~. An authority may, after public hearing and a finding by the board of a need for more stringent rules ~~((and regulations))~~ than those adopted by the department under this section, propose the adoption of such rules ~~((and regulations))~~ by the department for the control of emissions from the particular type or class ~~((or))~~ of air contaminant source within the geographical area of the authority. The department shall hold a public hearing and shall adopt the proposed rules ~~((and regulations))~~ within the area of the requesting authority, unless it finds that the proposed rules ~~((and regulations))~~ are inconsistent with the rules ~~((and regulations))~~ adopted by the department under this section ~~((: PROVIDED, FURTHER, That))~~. When such standards are adopted by the department it shall delegate solely to the requesting authority all powers necessary for their enforcement at the request of the authority ~~((: PROVIDED, That the department may delegate the responsibility for the enforcement of such rules and regulations to any authority which it deems capable of enforcing such regulations: PROVIDED FURTHER, That))~~. If after public hearing the department finds that the regulation on a state-wide basis of a particular type ~~((or))~~ or class of air contaminant source is no longer required for the public interest and the protection of the welfare of the citizens of the state, the department may relinquish exclusive jurisdiction over such source.

Sec. 713. RCW 70.94.405 and 1987 c 109 s 45 are each amended to read as follows:

At any time after an authority has been activated for no less than one year, the department may, on its own motion, conduct a hearing held in accordance with chapters 42.30 ~~((RCW))~~ and ~~((chapter))~~ 34.05 RCW, ~~((as now or hereafter amended))~~ to determine whether or not the air pollution prevention and control program of such authority is being carried out in good faith and is as effective as possible ~~((under the circumstances))~~. If at such hearing the department finds that such authority is not carrying out its air pollution control or prevention program in good faith, ~~((or))~~ is not doing all that is possible and reasonable to control and/or prevent air pollution within the geographical area over which it has jurisdiction, or is not carrying out the provisions of this chapter, it shall set forth in a report or order to the appropriate authority: (1) Its recommendations as to how air pollution prevention and/or control might be more effectively accomplished; and (2) guidelines which will assist the authority in carrying out the recommendations of the department.

Sec. 714. RCW 70.94.410 and 1987 c 109 s 46 are each amended to read as follows:

(1) If, after thirty days from the time that the department issues a report or order to an authority under RCW 70.94.400 and 70.94.405, such authority has not taken ~~((any))~~ action which indicates that it is attempting in good faith to implement the recommendations or actions of the department as set forth in the report or order, the department may, by order, declare as null and void any or all ordinances, resolutions, rules or regulations of such authority relating to the control and/or prevention of air pollution, and at such time the department shall become the sole body with authority to make and enforce rules and regulations for the control and/or prevention of air pollution within the geographical area of such authority. ~~((In))~~ If this ~~((connection))~~ occurs, the department may assume all those powers which are given to it by law to effectuate the purposes of this chapter. The department may, by order, continue in effect and enforce ~~((those))~~ provisions of the ordinances, resolutions, or rules ~~((and regulations))~~ of such authority which are not less stringent than those requirements which the department may have found applicable to the area under RCW 70.94.331, until such time as the department adopts its own rules ~~((and regulations))~~. Any rules ~~((and regulations))~~ promulgated by the department shall be subject to the provisions of chapter 34.05 RCW

~~((as it now appears or may hereinafter be amended))~~. Any enforcement actions shall be subject to RCW 43.21B.300 or 43.21B.310.

(2) No provision of this chapter is intended to prohibit any authority from reestablishing its air pollution control program which meets with the approval of the department and which complies with the purposes of this chapter and with applicable rules ~~((and regulations))~~ and orders of the department.

(3) Nothing in this chapter shall prevent the department from withdrawing the exercise of its jurisdiction over an authority upon its own motion ~~((: PROVIDED, That))~~ if the department has found at a hearing held in accordance with chapters 42.30 ~~((RCW))~~ and ~~((chapter))~~ 34.05 RCW ~~((as now or hereafter amended))~~, that the air pollution prevention and control program of such authority will be carried out in good faith ~~((or))~~, that such program will do all that is possible and reasonable to control and/or prevent air pollution within the geographical area over which it has jurisdiction, and that the program complies with the provisions of this chapter. Upon the withdrawal of the department, the department shall prescribe certain recommendations as to how air pollution prevention and/or control is to be effectively accomplished and guidelines which will assist the authority in carrying out the recommendations of the department.

Sec. 715. RCW 70.94.420 and 1987 c 109 s 47 are each amended to read as follows:

~~((1))~~ It is declared to be the intent of the legislature of the state of Washington that any state department or agency having jurisdiction over any building, installation, ~~((or))~~ other property, or other activity creating or likely to create significant air pollution shall cooperate with the department and with air pollution control agencies in preventing and/or controlling the pollution of the air in any area insofar as the discharge of ~~((the matter))~~ air contaminants from or by such building, installation, ~~((or))~~ other property, or activity may cause or contribute to pollution of the air in such area. Such state department or agency shall comply with the provisions of this chapter and with any ordinance, resolution, rule or regulation issued hereunder in the same manner as any other person subject to such laws ~~((or))~~ or rules ~~((or regulations))~~.

~~((2))~~ ~~In addition to its other powers and duties prescribed by law, the department may establish classes of potential pollution sources for which any state department or agency having jurisdiction over any building, installation, or other property, which is not located within the geographical boundaries of any authority which has an air pollution control and/or prevention program in effect, shall, before discharging any matter into the air, obtain a permit from the department for such discharge, such permits to be issued for a specified period of time to be determined by the department and subject to revocation if the department finds that such discharge is endangering the health and welfare of any persons. Such permits may also be required for any such building, installation, or other property which is located within the geographical boundaries of any authority which has an air pollution control and prevention program in effect if the standards set by the department for state departments and agencies are more stringent than those of the authority. In connection with the issuance of any permits under this section, there shall be submitted to the department such plans, specifications, and other information as it deems relevant thereto and under such other conditions as it may prescribe.)~~

Sec. 716. RCW 70.146.080 and 1986 c 3 s 11 are each amended to read as follows:

Within thirty days after June 30, 1987, and within thirty days after each succeeding fiscal year thereafter, the state treasurer shall determine the tax receipts deposited into the water quality account for the preceding fiscal year. If the tax receipts deposited into the account in each of the fiscal years 1988 and 1989 are less than forty million dollars, the state treasurer shall transfer sufficient moneys from general state revenues into the water quality account to bring the total receipts in each fiscal year up to forty million dollars.

After June 30, 1989, if the tax receipts deposited into the water quality account for the preceding fiscal year are less than forty-five million dollars, the state treasurer shall

transfer sufficient moneys from general state revenues into the water quality account to bring the total receipts up to forty-five million dollars.

Beginning in fiscal year 1992, if the tax receipts deposited into the water quality account for the preceding fiscal year are less than forty-five million dollars, the state treasurer shall transfer sufficient moneys from the air pollution control account to bring the receipts up to forty-five million dollars. When transferring sufficient moneys into the water quality account the state treasurer shall transfer one-quarter of the required amount each calendar quarter.

NEW SECTION. Sec. 717. Sections 229 through 235 and 245 of this act shall take effect October 1, 1991. Sections 602 and 603 of this act shall take effect July 1, 1992. Sections 202 through 209 of this act shall take effect January 1, 1993.

The remainder of 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 shall take effect immediately.

NEW SECTION. Sec. 718. The following acts or parts of acts are each repealed:

- (1) RCW 70.120.110 and 1989 c 240 s 7, 1985 c 7 s 131, & 1979 ex.s. c 163 s 12;
- (2) RCW 70.120.140 and 1987 c 505 s 62 & 1980 c 176 s 5;
- (3) RCW 70.120.900 and 1989 c 240 s 9;
- (4) RCW 70.94.232 and 1983 c 3 s 177 & 1967 c 238 s 40;
- (5) RCW 70.94.680 and 1971 ex.s. c 232 s 4;
- (6) RCW 70.94.740 and 1972 ex.s. c 136 s 1;
- (7) RCW 70.94.810 and 1984 c 277 s 3;
- (8) RCW 70.94.815 and 1984 c 277 s 5;
- (9) RCW 70.94.825 and 1984 c 277 s 7; and
- (10) RCW 70.94.870 and 1984 c 164 s 3.

NEW SECTION. Sec. 719. 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.

On page 1, line 2 of the title, after "quality;" strike the remainder of the title and insert "amending RCW 70.94.011, 70.94.030, 70.120.010, 70.120.020, 70.120.070, 70.120.080, 70.120.120, 70.120.150, 70.120.170, 46.16.015, 82.44.020, 82.44.110, 82.44.150, 82.44.155, 82.44.180, 82.50.410, 82.50.510, 70.94.152, 70.94.155, 70.94.181, 70.94.205, 70.94.211, 70.94.430, 70.94.431, 70.94.860, 70.94.875, 70.94.745, 70.94.660, 70.94.670, 70.94.690, 70.94.650, 70.94.654, 70.94.775, 70.94.780, 70.94.750, 70.94.457, 70.94.470, 70.94.473, 70.94.483, 70.94.041, 70.94.656, 70.94.055, 70.94.092, 70.94.100, 70.94.130, 70.94.170, 70.94.231, 70.94.240, 70.94.331, 70.94.332, 70.94.385, 70.94.395, 70.94.405, 70.94.410, 70.94.420, and 70.146.080; reenacting and amending RCW 70.94.053; adding new sections to chapter 70.120 RCW; adding a new section to chapter 43.19 RCW; adding new sections to chapter 80.28 RCW; adding new sections to chapter 70.94 RCW; adding a new section to chapter 82.50 RCW; adding a new chapter to Title 82 RCW; adding a new chapter to Title 70 RCW; creating new sections; repealing RCW 70.120.110, 70.120.140, 70.120.900, 70.94.232, 70.94.680, 70.94.740, 70.94.810, 70.94.815, 70.94.825, and 70.94.870; prescribing penalties; providing effective dates; and declaring an emergency."

Signed by Representatives Wang, Chair; Fraser, Vice Chair; Appelwick; Belcher; Day; Leonard; Morris; Phillips; and Rust.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Brumsickle; Morton; Silver; and Van Luven.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1052 Prime Sponsor, Representative Leonard: Revising provisions for public assistance. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Human Services be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Vance; and Wineberry.

Voting nay: Representative Fuhrman.

Excused: Representatives Holland; Lisk; and Sprenkle.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1105 Prime Sponsor, Representative Jones: Exempting property in this state from execution in favor of another state. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1105 be substituted therefor, and the substitute bill do pass. Signed by Representatives Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Brumsickle; Day; Leonard; Morris; Morton; Silver; and Van Luven.

MINORITY recommendation: Do not pass. Signed by Representatives Wang, Chair; Appelwick; Belcher; Phillips; and Rust.

Passed to Committee on Rules for second reading.

March 6, 1991

HB 1122 Prime Sponsor, Representative Heavey: Regulating labor relations consultants. Reported by Committee on Revenue

MAJORITY recommendation: Do pass as amended by Committee on Commerce & Labor. (For committee amendment, see Journal, 40th Day, February 22, 1991.) Signed by Representatives Wang, Chair; Fraser, Vice Chair; Appelwick; Belcher; Day; Leonard; Morris; Phillips; and Rust.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Brumsickle; Morton; Silver; and Van Luven.

Voting nay: Representatives Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Brumsickle; Morris; Morton; Silver; and Van Loven.

Passed to Committee on Rules for second reading.

March 10, 1991

**HB 1123** Prime Sponsor, Representative Braddock: Concerning nursing home auditing and cost reimbursement. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass and do not pass the substitute bill by Committee on Health Care. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Appelwick; Belcher; Braddock; Brekke; Dorn; Ebersole; Hine; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Wang; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Bowman; Ferguson; Fuhrman; Lisk; McLean; and Nealey.

Excused: Representatives Holland; May; Mielke; and Vance.

Passed to Committee on Rules for second reading.

March 9, 1991

**HB 1127** Prime Sponsor, Representative Sheldon: Adding superior court judge positions. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations :

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 2.08.061 and 1989 c 328 s 2 are each amended to read as follows:

There shall be in the county of King no more than ~~((forty-six))~~ fifty-eight judges of the superior court; in the county of Spokane ten judges of the superior court; and in the county of Pierce nineteen judges of the superior court. The King county legislative authority may phase in six of the additional twelve judges, as authorized by the 1991 amendments to this section, over a period of time not to extend beyond July 1, 1995, and the remaining six additional judges over a period of time not to begin before July 1, 1993, and not to extend beyond July 1, 1995.

Sec. 2. RCW 2.08.062 and 1990 c 186 s 1 are each amended to read as follows:

There shall be in the counties of Chelan and Douglas jointly, three judges of the superior court; in the county of Clark six judges of the superior court; in the county of Grays Harbor ~~((two))~~ three judges of the superior court; in the county of Kitsap seven judges of the superior court; in the county of Kittitas one judge of the superior court; in the county of Lewis two judges of the superior court.

Sec. 3. RCW 2.08.064 and 1989 c 328 s 3 are each amended to read as follows:

There shall be in the counties of Benton and Franklin jointly, five judges of the superior court; in the county of Clallam, two judges of the superior court; in the county of Jefferson, one judge of the superior court; in the county of Snohomish, ~~((eleven))~~ thirteen judges of the superior court; in the counties of Asotin, Columbia and Garfield jointly, one judge of the superior court; in the county of Cowlitz, three judges of the superior court; in the counties of Klickitat and Skamania jointly, one judge of the superior court. The county legislative authority may phase in the additional judges, as authorized by the 1991 amendments to this section, over a period of time not to extend beyond July 1, 1995.

Sec. 4. RCW 2.08.065 and 1990 c 186 s 2 are each amended to read as follows:

There shall be in the county of Grant, two judges of the superior court; in the county of Okanogan, one judge of the superior court; in the county of Mason, ~~((one))~~ two judges of the superior court; in the county of Thurston, six judges of the superior court; in the counties of Pacific and Wahkiakum jointly, one judge of the superior court; in the counties of Ferry, Pend Oreille, and Stevens jointly, two judges of the superior court; and in the counties of San Juan and Island jointly, two judges of the superior court.

Sec. 5. RCW 2.32.180 and 1990 c 186 s 3 are each amended to read as follows:

It shall be and is the duty of each and every superior court judge in counties or judicial districts in the state of Washington having a population of over thirty-five thousand inhabitants to appoint, or said judge may, in any county or judicial district having a population of over twenty-five thousand and less than thirty-five thousand, appoint a stenographic reporter to be attached to the court holden by him who shall have had at least three years' experience as a skilled, practical reporter, or who upon examination shall be able to report and transcribe accurately one hundred and seventy-five words per minute of the judge's charge or two hundred words per minute of testimony each for five consecutive minutes; said test of proficiency, in event of inability to meet qualifications as to length of time of experience, to be given by an examining committee composed of one judge of the superior court and two official reporters of the superior court of the state of Washington, appointed by the president judge of the superior court judges association of the state of Washington: PROVIDED, That a stenographic reporter shall not be required to be appointed for the seven additional judges of the superior court authorized for appointment by section 1, chapter 323, Laws of 1987, the additional superior court judge authorized by section 1, chapter 66, Laws of 1988, the additional superior court judges authorized by sections 2 and 3, chapter 328, Laws of 1989, ~~((or))~~ the additional superior court judges authorized by sections 1 and 2, chapter 186, Laws of 1990, or the additional superior court judges authorized by sections 1 through 4 of this 1991 act. The initial judicial appointee shall serve for a period of six years; the two initial reporter appointees shall serve for a period of four years and two years, respectively, from September 1, 1957; thereafter on expiration of the first terms of service, each newly appointed member of said examining committee to serve for a period of six years. In the event of death or inability of a member to serve, the president judge shall appoint a reporter or judge, as the case may be, to serve for the balance of the unexpired term of the member whose inability to serve caused such vacancy. The examining committee shall grant certificates to qualified applicants. Administrative and procedural rules and regulations shall be promulgated by said examining committee, subject to approval by the said president judge.

The stenographic reporter upon appointment shall thereupon become an officer of the court and shall be designated and known as the official reporter for the court or judicial district for which he is appointed: PROVIDED, That in no event shall there be appointed more official reporters in any one county or judicial district than there are superior court judges in such county or judicial district; the appointments in each class AA county shall be made by the majority vote of the judges in said county acting en banc; the appointments in class A counties and counties of the first class may be made

by each individual judge therein or by the judges in said county acting en banc. Each official reporter so appointed shall hold office during the term of office of the judge or judges appointing him, but may be removed for incompetency, misconduct or neglect of duty, and before entering upon the discharge of his duties shall take an oath to perform faithfully the duties of his office, and file a bond in the sum of two thousand dollars for the faithful discharge of his duties. Such reporter in each court is hereby declared to be a necessary part of the judicial system of the state of Washington.

**NEW SECTION.** Sec. 6. Section 2 of this act shall take effect January 1, 1992. Section 3 of this act shall take effect July 1, 1992. Sections 1 and 4 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect July 1, 1991.

**NEW SECTION.** Sec. 7. The additional judicial positions created by sections 1, 2, 3, and 4 of this act shall be effective only if each county through its duly constituted legislative authority documents its approval of any additional positions and its agreement that it will pay out of county funds, without reimbursement from the state, the expenses of such additional judicial positions as provided by statute and only if the superior court judges in each of the counties document their adoption of mandatory arbitration for money judgments to the fullest extent authorized under RCW 7.06.020(1).

On page 1, line 1 of the title, after "courts;" strike the remainder of the title and insert "amending RCW 2.08.061, 2.08.062, 2.08.064, 2.08.065, and 2.32.180; creating a new section; providing effective dates; and declaring an emergency."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Holland and Rust.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1133 Prime Sponsor, Representative Valle: Changing review and approval of personal service contracts. Reported by Committee on Appropriations

**MAJORITY recommendation:** The substitute bill by Committee on State Government be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 39.29.003 and 1987 c 414 s 1 are each amended to read as follows:

It is the intent of this chapter to establish a policy of open competition for all personal service contracts entered into by state agencies, unless specifically exempted under this chapter. It is further the intent to provide for legislative and executive review of all personal service contracts (~~(negotiated without an open competitive process)~~), to centralize the location of information about personal service contracts for ease of public review, and ensure proper accounting of personal services expenditures.

Sec. 2. RCW 39.29.018 and 1987 c 414 s 5 are each amended to read as follows:

(1) Sole source contracts, and modifications thereto, shall be filed with the office of financial management and the legislative budget committee and made available for public inspection at least ten working days prior to the proposed starting date of the contract. Documented justification for sole source contracts shall be provided to the office of financial management and the legislative budget committee when the contract is filed.

(2) The office of financial management shall approve sole source contracts of ten thousand dollars or more, and modifications thereto, before any such contract or modification becomes binding and before any services may be performed under the contract. These requirements shall also apply to sole source contracts of less than ten thousand dollars if the total amount of such contracts, including their modifications, between an agency and the same consultant is ten thousand dollars or more within a fiscal year. The office of financial management shall ensure that the costs, fees, or rates negotiated in filed sole source contracts of ten thousand dollars or more are reasonable.

Sec. 3. RCW 39.29.040 and 1987 c 414 s 7 are each amended to read as follows:

This chapter does not apply to:

~~((1))~~ ~~Contracts specifying a fee of less than two thousand five hundred dollars if the total of the contracts from that agency with the contractor within a fiscal year does not exceed two thousand five hundred dollars;~~

~~((2))~~ Contracts awarded to companies that furnish a service where the tariff is established by the utilities and transportation commission or other public entity;

~~((3))~~ (2) Intergovernmental agreements awarded to any governmental entity, whether federal, state, or local and any department, division, or subdivision thereof;

~~((4))~~ (3) Contracts awarded for services to be performed for a standard fee, when the standard fee is established by the contracting agency or any other governmental entity and a like contract is available to all qualified applicants;

~~((5))~~ (4) Contracts for services that are necessary to the conduct of collaborative research if prior approval is granted by the funding source;

~~((6))~~ (5) Contracts for client services;

~~((7))~~ (6) Contracts for architectural and engineering services as defined in RCW 39.80.020, which shall be entered into under chapter 39.80 RCW; and

~~((8))~~ (7) Contracts for the employment of expert witnesses for the purposes of litigation, except that such contracts shall be filed within the same time period as emergency contracts.

NEW SECTION. Sec. 4. A new section is added to chapter 39.29 RCW to read as follows:

Personal services may be procured only to resolve a particular agency problem or issue or to expedite a specific project that is temporary in nature. An agency may procure personal services only if it documents that:

(1) The service is critical to agency responsibilities or operations, or is mandated or authorized by the legislature;

(2) Insufficient staffing or expertise is available within the agency to perform the service; and

(3) Other qualified public resources are not available to perform the service.

NEW SECTION. Sec. 5. A new section is added to chapter 39.29 RCW to read as follows:

(1) The following personal service contracts, and modifications thereto, shall be filed with the office of financial management and be made available for public inspection at least ten working days prior to the proposed starting date of the contract:

(a) Personal service contracts subject to competitive solicitation, and modifications thereto, that provide services relating to management consulting, organization development, marketing, communications, employee training, or employee recruiting; and

(b) Modifications to personal service contracts subject to competitive solicitation that substantially change the scope or cost of work to be performed.

(2) The office of financial management shall approve personal service contracts, and modifications thereto, required to be filed in subsection (1) of this section before such contracts, and modifications thereto, become binding and before any services may be performed under such contracts.

**NEW SECTION.** Sec. 6. A new section is added to chapter 39.29 RCW to read as follows:

The office of financial management shall maintain a publicly available list of all personal service contracts entered into by state agencies during each fiscal year. The list shall identify the contracting agency, the contractor, the purpose of the contract, effective dates and periods of performance, the cost of the contract and funding source, any modifications to the contract, and whether the contract, including modifications thereto, was competitively procured or awarded on a sole source basis. The office of financial management shall also ensure that state accounting definitions and procedures are consistent with RCW 39.29.006 and permit the reporting of personal services expenditures by agency and by type of service. Designations of type of services shall include, but not be limited to, management and organizational services, legal and expert witness services, financial services, computer and information services, social or technical research, marketing, communications, and employee training or recruiting services.

**NEW SECTION.** Sec. 7. A new section is added to chapter 39.80 RCW to read as follows:

Contracts entered into by any state agency for architectural and engineering services, and modifications thereto, shall be filed with the office of financial management at least ten working days before the proposed starting date of the contract.

On page 1, line 1 of the title, after "contracts;" strike the remainder of the title and insert "amending RCW 39.29.003, 39.29.018, and 39.29.040; adding new sections to chapter 39.29 RCW; and adding a new section to chapter 39.80 RCW."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Appelwick; Ferguson; Holland; and Sprenkle.

Passed to Committee on Rules for second reading.

March 8, 1991

**HB 1136** Prime Sponsor, Representative Haugen: Revising provisions regulating cosmetology. Reported by Committee on Revenue

**MAJORITY recommendation:** The substitute bill by Committee on Commerce & Labor be substituted therefor, and the substitute bill do pass with the following amendment by Committee on Revenue:

On page 21, after line 14, strike section 25, and insert the following:

**NEW SECTION.** Sec. 25. The sum of four hundred twenty-nine thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30,

1993, from the general fund to the department of licensing to carry out the purposes of this act.

Signed by Representatives Fraser, Vice Chair; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Day; Leonard; Morris; Phillips; and Rust.

MINORITY recommendation: Do not pass. Signed by Representatives Wang, Chair; Holland, Ranking Minority Member; Brumsickle; Morton; and Silver.

Excused: Representative Van Luven.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1158 Prime Sponsor, Representative Brekke: Providing for minors incapacitated by alcohol and other drugs. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by committee on Human Services be substituted therefor, and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Holland and Sprenkle.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1180 Prime Sponsor, Representative Cole: Licensing private security guards. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Commerce & Labor be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

On page 23, after line 2, strike all of sections 31 and 32

Renumber remaining section consecutively and correct internal references accordingly.

On page 1, line 2 of the title, after "Title 18 RCW;" strike the remainder of the section and insert "and prescribing penalties."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ferguson;

Fuhrman; Hine; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; Sprenkle; Valle; Vance; and Wineberry.

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

Voting nay: Representatives H. Sommers and Wang.

Excused: Representatives Belcher; Lisk; and Pruitt.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1181 Prime Sponsor, Representative Cole: Licensing private detectives. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Commerce & Labor be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

On page 23, after line 10, strike all of sections 30 and 31

Re-number remaining section consecutively and correct internal references accordingly.

On page 1, line 3 of the title, after "Title 18 RCW" strike the remainder of the title and insert "and prescribing penalties"

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ferguson; Fuhrman; Hine; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; Sprenkle; Valle; Vance; and Wineberry.

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

Voting nay: Representatives Holland; H. Sommers; and Wang.

Excused: Representatives Lisk and Pruitt.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1226 Prime Sponsor, Representative Prentice: Making provisions for nursing home residents' discharge for temporary hospitalization. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Health Care be substituted therefor and the substitute bill do pass with the following amendments by Committee on Appropriations:

On page 1, line 10, strike "five" and insert "three"

On page 1, line 12, strike "five-day" and insert "three-day"

On page 2, line 20, strike "three" and insert "four"

On page 2, beginning on line 20, after "discharge." strike everything through "purpose." on line 25

On page 2, beginning on line 25, after "four" strike "and one-half"

On page 3, line 8, after "directly" insert "or is readmitted to a bed in the medicare distinct part or to the heavy care wing of the provider's facility as specified in section I of this act"

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; H. Sommers; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Holland and Sprenkle.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1250 Prime Sponsor, Representative Wilson: Creating nonconsumptive wildlife area user permits. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill by Committee on Fisheries & Wildlife be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Revenue:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that consumptive users of the wildlife resource finance the majority of the department of wildlife's budget, and that nonconsumptive users of wildlife are not provided a mechanism to assist in funding the department of wildlife, proportionate to their use of wildlife. It is the intent of the legislature to seek realistic funding mechanisms that allow nonconsumptive users of wildlife to assist in supporting the department of wildlife.

NEW SECTION. Sec. 2. For the purposes of sections 3 and 4 of this act, "department" means the department of wildlife and "commission" means the wildlife commission.

NEW SECTION. Sec. 3. The commission shall appoint, by October 1, 1991, a blue ribbon task force to analyze the funding base for the department of wildlife and to recommend how it can be broadened beyond the hunting and fishing license buyer. The task force shall consist of individuals that represent the commission, the department, the legislature, the environmental community, and private industry. One member of the house of representatives shall be appointed by the speaker of the house of representatives, and one member of the senate shall be appointed by the president of the senate, to serve on the blue ribbon task force. The task force shall consider, at a minimum, the following funding mechanisms:

- (1) Fees for use of wildlife areas owned or managed by the department;
- (2) Fees for courses in wildlife appreciation;

- (3) The sale of wildlife art and stamps;
- (4) Active fundraising by the department; and
- (5) A dedicated wildlife lottery.

The task force shall make recommendations to the commission and to the legislature on feasible funding mechanisms. The commission shall analyze these recommendations, identify those that are feasible, identify additional funding opportunities as necessary and report its recommendations to the legislature by December 1, 1992.

NEW SECTION. Sec. 4. Task force members who are not public employees shall be reimbursed for subsistence and mileage by the department of wildlife pursuant to RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 5. A new section is added to chapter 77.12 RCW to read as follows:

The department may solicit gifts, grants, conveyances, bequests, and devises, whether real or personal property, or both, in trust or otherwise, to be directed to the department for carrying out the purposes of the department. The department may solicit contracts for work, financial and in-kind contributions, and support from private industries, interest groups, federal and state sources, and other sources.

NEW SECTION. Sec. 6. A new section is added to chapter 77.12 RCW to read as follows:

The director shall develop a plan to comply with the requirements of the Americans with Disabilities Act of 1990 (104 Stat. 327).

Sec. 7. RCW 46.16.585 and 1979 ex.s. c 136 s 51 are each amended to read as follows:

In addition to the regular registration fee, and any other fees and taxes required to be paid upon registration, the applicant shall be charged a fee of (~~thirty~~) forty dollars. In addition to the regular renewal fee, and in addition to any other fees and taxes required to be paid, the applicant for a renewal of such plates shall be charged an additional fee of (~~twenty~~) thirty dollars: PROVIDED, That any person who purchased personalized license plates containing three letters and three digits on or between the dates of August 9, 1971, and November 6, 1973, shall not be required to pay the additional annual renewal fee of (~~twenty~~) thirty dollars commencing with the year 1976. All personalized license plates must be renewed on an annual basis, regardless of whether a vehicle on which they are displayed will not be driven on public highways or may also be eligible to display permanent license plates valid for the life of such vehicle without annual renewal. Personalized license plates that are not renewed must be surrendered to the department, and failure to do so is a traffic infraction.

NEW SECTION. Sec. 8. A new section is added to chapter 82.04 RCW, to be codified between RCW 82.04.020 and 82.04.212, to read as follows:

"Outdoor recreation products" means:

- (1) Bicycle equipment such a bicycles, helmets, tires and tubes, panniers and bags, and racks.
- (2) Binoculars and telescope equipment.
- (3) Human-powered boating equipment such as canoes, kayaks, rafts, rowing shells, rowboats and dinghies, paddles and oars, and helmets.
- (4) Camping equipment such as sleeping bags and pads, air mattresses, coolers, ice chests, stoves, tents, and packs.
- (5) Equestrian equipment such as saddles, bridles, and other tack.
- (6) Hang gliding equipment such as hang gliders, helmets, and slings and harnesses.
- (7) Special shoes used for outdoor activities including hiking boots, mountain climbing boots, and rock climbing shoes.
- (8) Jet skis, water skis, and water and jet ski-related equipment.
- (9) Maps, whether sold or distributed without charge, but not including maps provided by federal, state, or local agencies without charge.

(10) Climbing equipment such as shoes, ropes, carabineers, crampons, ice axes, and helmets.

(11) All photographic products such as cameras, film, video camcorders, videotapes, and all photographic developing products.

(12) SCUBA and skin diving equipment such as masks, fins, snorkels, weight belts, tanks, backpacks, regulators, gauges, and buoyancy control devices.

(13) Skiing and snowshoe equipment such as skis, boots, poles, bindings, snowshoes, snowshoe bindings, and snowboards.

(14) Snowmobiling equipment.

(15) Windsurfing equipment such as boards and sails.

(16) Miscellaneous equipment such as wet suits, booties, hoods, gloves, dry suits, personal flotation devices, compasses, and car racks and rack accessories.

NEW SECTION. Sec. 9. A new section is added to chapter 82.04 RCW to read as follows:

There is levied and shall be collected from every person for the act or privilege of engaging within this state in business as a manufacturer an additional tax equal to the value of outdoor recreation equipment products manufactured multiplied by the rate of twenty-five hundredths of one percent.

NEW SECTION. Sec. 10. A new section is added to chapter 82.04 RCW to read as follows:

There is levied and shall be collected from every person for the act or privilege of engaging within this state in the business of making sales at wholesale an additional tax equal to the gross proceeds of sales of outdoor recreation equipment products multiplied by the rate of twenty-five hundredths of one percent.

NEW SECTION. Sec. 11. A new section is added to chapter 82.04 RCW to read as follows:

There is levied and shall be collected from every person for the act or privilege of engaging within this state in the business of making sales at retail an additional tax equal to the gross proceeds of sales of outdoor recreation equipment products multiplied by the rate of twenty-five hundredths of one percent.

NEW SECTION. Sec. 12. A new section is added to chapter 82.04 RCW to read as follows:

The taxes imposed in sections 9 through 11 of this act shall be forwarded to the state treasurer and be deposited to the credit of the state wildlife fund.

Sec. 13. RCW 77.12.170 and 1989 c 314 s 4 are each amended to read as follows:

(1) There is established in the state treasury the state wildlife fund which consists of moneys received from:

(a) Rentals or concessions of the department;

(b) The sale of real or personal property held for department purposes;

(c) The sale of licenses, permits, tags, stamps, and punchcards required by this title;

(d) Fees for informational materials published by the department;

(e) Fees for personalized vehicle license plates as provided in chapter 46.16 RCW;

(f) Articles or wildlife sold by the director under this title;

(g) Compensation for wildlife losses or gifts or grants received under RCW 77.12.320;

(h) Excise tax on anadromous game fish collected under chapter 82.27 RCW;  
((and))

(i) The sale of personal property seized by the department for wildlife violations;

and

(j) Tax on outdoor recreation products collected under sections 9 through 11 of this act.

(2) State and county officers receiving any moneys listed in subsection (1) of this section shall deposit them in the state treasury to be credited to the state wildlife fund.

NEW SECTION. Sec. 14. 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 shall take effect July 1, 1991. Unless both this act and chapter ..., Laws of 1991 (SHB 1850) are referenced by bill number in an omnibus appropriations act enacted before July 1, 1991, this act shall be null and void.

On page 1, line 1 of the title, after "wildlife;" strike the remainder of the title and insert "amending RCW 46.16.585 and 77.12.170; adding new sections to chapter 77.12 RCW; adding new sections to chapter 82.04 RCW; creating new sections; providing an effective date; and declaring an emergency."

Signed by Representatives Wang, Chair; Fraser, Vice Chair; Appelwick; Belcher; Day; Leonard; Morris; and Phillips.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Brumsickle; Morton; Rust; Silver; and Van Lúven.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1293 Prime Sponsor, Representative Jacobsen: Establishing the local master's degree teacher training program. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor, and the substitute bill do pass with the following amendment by Committee on Appropriations:

On page 3, after line 26, insert the following new section:

"NEW SECTION. Sec. 2. If by June 30, 1991, the omnibus operating budget appropriations act for the 1991-93 biennium does not provide specific funding for this act, referencing this act by bill number, this act is null and void."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Holland and Sprengle.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1296 Prime Sponsor, Representative Ogden: Improving access to higher education for students with disabilities. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Higher Education be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The higher education coordinating board shall establish an advisory committee on access to higher education for students with disabilities. The committee shall include but need not be limited to representation from the following: Students with disabilities, coordinators of services for students with disabilities, the governor's committee on disability issues and employment, and agencies and organizations that work with or represent persons with disabilities.

NEW SECTION. Sec. 2. In consultation with the advisory committee on access to higher education for students with disabilities the board shall:

(1) Inventory existing campus and agency resources available to address the accommodation needs of students with disabilities;

(2) Distribute the inventory to institutions of higher education and to the superintendent of public instruction for further distribution to appropriate personnel in the K-12 system;

(3) Survey institutions of higher education and students with disabilities to identify specific services that have been requested but not provided;

(4) Report the results of the survey, with recommendations on a phased plan to meet identified needs in priority order, to the governor, the house of representatives and senate higher education and fiscal committees, and the institutions of higher education;

(5) In coordination with the state board for community college education, conduct a state-wide training workshop for coordinators of services for students with disabilities.

NEW SECTION. Sec. 3. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by June 30, 1991, in the omnibus appropriations act, this act shall be null and void.

NEW SECTION. Sec. 4. Sections 1 and 2 of this act are each added to chapter 28B.80 RCW.

On page 1, line 2 of the title, after "disabilities;" strike the remainder of the title and insert "adding new sections to chapter 28B.80 RCW; and creating a new section."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Braddock and Holland.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1300 Prime Sponsor, Representative Wang: Modifying provisions for property assessment and allowing for averaging of large property tax valuation increases. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1300 be substituted therefor, and the substitute bill do pass. Signed by Representatives

Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Day; Leonard; Morris; Phillips; Rust; and Van Luven.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher; Brumsickle; Morton; and Silver.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1314 Prime Sponsor, Representative Haugen: Creating the natural resource worker project. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Trade & Economic Development be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that an increase in unemployment due to the declining timber economy in the state is imminent. The legislature further recognizes that employment opportunities in state and local government in other natural resource management professions exist and that dislocated workers in the timber-related professions represent a potential work force in the areas of fisheries, wildlife, and recreation.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Dislocated timber worker" means any individual who:

(a) Has been terminated or received a notice of termination from employment in a timber-related occupation within standard industrial code 024; and

(b) At the time of last separation from employment, resided in or was employed in a timber-dependent community.

(2) "Department" means the employment security department.

(3) "Project" means the natural resource worker project.

NEW SECTION. Sec. 3. The department, subject to the availability of funding under section 4 of this act or an appropriation from the general fund, shall establish the natural resource worker project. The project shall terminate on July 1, 1996, and shall provide employment and training opportunities for dislocated timber workers in the areas of fisheries, wildlife, recreation, and other natural resource professions. The department of personnel shall approve the project. The goal of the project is to allow project employees to be, upon termination of their participation in the project, eligible for permanent employment with the departments of wildlife, fisheries, ecology, and natural resources, and the parks and recreation commission.

NEW SECTION. Sec. 4. The department shall use federal funds that it receives for dislocated timber workers to contract with the departments of wildlife, fisheries, ecology, and natural resources, and the parks and recreation commission to hire project participants to conduct tasks in the areas of fisheries, wildlife, forestry, ecology, and recreation.

NEW SECTION. Sec. 5. The project shall include the following elements:

(1) Recruitment of dislocated timber workers;

(2) Placement in the departments of wildlife, fisheries, ecology, and natural resources, and the parks and recreation commission;

(3) On-the-job training in entry-level natural resource management skills;

(4) Comparable salaries and benefits to entry-level positions already existing in the departments of wildlife, fisheries, ecology, and natural resources, and the parks and recreation commission.

NEW SECTION. Sec. 6. The department, along with the departments of personnel, wildlife, fisheries, ecology, and natural resources, and the parks and recreation commission shall report annually to the legislature on November 1 of each year beginning November 1, 1992, and until November 1, 1995.

The report shall include, at a minimum, the following elements:

- (1) The number of project employees;
- (2) The number and description of positions filled, by agency;
- (3) Training received;
- (4) Duration of employment; and
- (5) Placement in permanent positions.

NEW SECTION. Sec. 7. Sections 1 through 6 of this act shall constitute a new chapter in Title 50 RCW.

NEW SECTION. Sec. 8. 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 shall take effect July 15, 1991.

NEW SECTION. Sec. 9. This act shall expire August 1, 1996.

On page 1, line 1 of the title, after "force;" strike the remainder of the title and insert "adding a new chapter to Title 50 RCW; providing an effective date; providing an expiration date; and declaring an emergency."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; McLean; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprengle; Wang; and Wineberry.

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

• Passed to Committee on Rules for second reading.

March 10, 1991

HB 1315 Prime Sponsor, Representative Haugen: Creating a training program for displaced timber workers in Skagit county. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Trade & Economic Development be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that an increase in unemployment due to the declining timber economy in the state is imminent. The legislature further recognizes that employment opportunities in other natural resource management professions exist and that natural resource enhancements in the areas of fisheries, wildlife, and recreation can bring needed income to distressed local economies in the state. It is the intent of the legislature that dislocated timber workers be given training in and opportunities to compete for employment in other resource management professions, and

to establish a pilot program in Skagit county to accomplish this objective. The Skagit river represents a potential recreational fishery that, if enhanced, will bring much needed income to Skagit county. Enhancements to the fishery on the Skagit river are planned over the next several years, and workers will be needed to fill these positions. Displaced timber workers will be available to do this work.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Department" means the employment security department.

(2) "Dislocated timber worker" means any individual who:

(a) Has been terminated or received a notice of termination from employment in a timber-related occupation within standard industrial code 024; and

(b) At the time of last separation from employment, resided in or was employed in a timber-dependent community.

(3) "College" means Skagit Valley Community College.

(4) "Local development agency" means the economic development association of Skagit county.

NEW SECTION. Sec. 3. A pilot project shall be established, coordinated jointly by the department and the college, in Skagit county. The pilot project created in this section is subject to the department and the college acquiring funds for the pilot project from federal, state, or private sources. The project shall be of five years duration.

NEW SECTION. Sec. 4. The college shall develop a training program designed for dislocated timber workers and their spouses, and in doing so, shall:

(1) Consult with, at a minimum, the departments of natural resources, ecology, wildlife, and fisheries, the parks and recreation commission, and other state, federal, local, and private employers in Skagit county to determine minimum employment qualifications in the areas of natural resource management and enhancement of the Skagit river; and

(2) Develop a program that will provide needed educational skills to dislocated timber workers and their spouses.

NEW SECTION. Sec. 5. The department shall contract with the local development agency to coordinate with the college and the departments of wildlife, ecology, natural resources, and fisheries, the parks and recreation commission, and other state, federal, local, and private employers in assisting dislocated timber workers and their spouses in securing education and employment in the natural resource professions. The local development agency shall also provide information on the training program established under section 4 of this act.

NEW SECTION. Sec. 6. The department and the college shall jointly report to the legislature on their progress by November 1 of each year, beginning in 1991 and ending November 1, 1996. This report shall include a college program description, numbers of students, numbers of referrals for existing positions by the local development agency, and numbers of positions filled by dislocated timber workers.

NEW SECTION. Sec. 7. This act shall expire January 1, 1997.

NEW SECTION. Sec. 8. Sections 1 through 7 of this act shall constitute a new chapter in Title 50 RCW.

NEW SECTION. Sec. 9. 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 shall take effect July 15, 1991.

On page 1, line 1 of the title, after "force;" strike the remainder of the title and insert "adding a new chapter to Title 50 RCW; providing an effective date; providing an expiration date; and declaring an emergency."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Hine; Lisk; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Wang; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Fuhrman; McLean; and Nealey.

Excused: Representatives Holland; May; Mielke; and Vance.

Passed to Committee on Rules for second reading.

March 8, 1991

HB 1335 Prime Sponsor, Representative Nelson: Providing an energy assistance and conservation program for low-income households. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill by Committee on Housing be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Revenue:

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 70.164.010 and 1987 c 36 s 1 are each amended to read as follows:

(1) The legislature finds and declares:

(a) The health, welfare, and prosperity of the people of the state of Washington require that all citizens receive essential levels of heat and electric service regardless of economic circumstance;

(b) That weatherization of the residences of low-income households will help conserve energy resources in this state and can reduce the need to obtain energy from more costly conventional energy resources(~~(--The legislature also finds)~~);

(c) That rising energy costs have had a negative effect on the affordability of housing for low-income citizens and have made it difficult for low-income citizens of the state to afford adequate fuel for residential space heat(~~(--)~~);

(d) Declining federal low-income energy assistance funding and limited oil overcharge funds require a state response to ensure the continuity and further development of energy assistance, energy conservation, and related policies within the state of Washington;

(e) Weatherization of residences will lower energy consumption, making space heat more affordable for persons in low-income households(~~(--It)~~), and will (~~(also)~~) reduce the uncollectible accounts of fuel suppliers resulting from low-income customers not being able to pay fuel bills;

(f) That the best time to make energy conservation improvements to existing residential dwellings is during rehabilitation; and

(g) That energy conservation is an important component of housing affordability.

(2) The legislature declares that it is the policy of the state:

(a) To establish a comprehensive, low-income energy assistance policy and program that incorporates income assistance, energy conservation, and other measures to ensure that citizens have access to affordable energy services;

(b) That energy conservation improvements through the retrofit of existing residential dwellings shall be coordinated with rehabilitation activities funded with state resources or resources administered through the state;

(c) To weatherize at least one-half of the existing low-income households in the state by the year 2000.

(3) The program implementing the policy of this chapter is necessary to support the poor and infirm and also to benefit the health, safety, and general welfare of all citizens of the state.

Sec. 2. RCW 70.164.020 and 1987 c 36 s 2 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Department" means the department of community development.

(2) "Energy assessment" means an analysis of a dwelling unit to determine the need for cost-effective energy conservation measures as determined by the department.

(3) "Energy supplier" means an electric utility or natural gas utility, whether privately or publicly owned, a heating oil dealer, or a propane dealer.

(4) "Heating oil dealer" means a person who supplies fuel oil at retail for space heating of dwellings.

(5) "Space heating customer" means a household or business that purchases the primary source of heating for the dwelling unit or building from an energy supplier.

(6) "Household" means an individual or group of individuals living in a dwelling unit as defined by the department.

~~((4))~~ (7) "Low income" means household income that is at or below one hundred twenty-five percent of the federally established poverty level.

~~((5))~~ (8) "Nonutility sponsor" means any sponsor other than a public service company, municipality, public utility district, mutual or cooperative, furnishing gas or electricity used to heat low-income residences.

~~((6))~~ (9) "Propane dealer" means a person who supplies liquefied petroleum gas at retail for space heating of dwellings.

(10) "Residence" means a dwelling unit as defined by the department.

~~((7))~~ (11) "Sponsor" means any entity that submits a proposal under RCW 70.164.040, including but not limited to any local community action agency, community service agency, or any other participating agency or any public service company, municipality, public utility district, mutual or cooperative, or any combination of such entities that jointly submit~~((s))~~ a proposal.

~~((8))~~ (12) "Sponsor match" means the share, if any, of the cost of weatherization to be paid by the sponsor.

~~((9))~~ (13) "Weatherization" means materials or measures, and their installation, that are used to improve the thermal efficiency of a residence.

~~((10))~~ (14) "Weatherizing agency" means any approved department grantee or any public service company, municipality, public utility district, mutual or cooperative, or other entity that bears the responsibility for ensuring the performance of weatherization of residences under this chapter and has been approved by the department.

Sec. 3. RCW 70.164.030 and 1987 c 36 s 3 are each amended to read as follows:

(1) The low-income weatherization assistance account is created in the state treasury. All moneys from the money distributed to the state pursuant to *Exxon v. United States*, 561 F.Supp. 816 (1983), affirmed 773 F.2d 1240 (1985), or any other oil overcharge settlements or judgments distributed by the federal government, that are allocated to the low-income weatherization assistance account shall be deposited in the account. The department may accept such gifts, grants, and endowments from public or private sources as may be made from time to time, in trust or otherwise, and shall deposit such funds in the account. Any moneys received from sponsor match payments and funds received under section 10 of this act shall be deposited in the account. The legislature may also appropriate moneys to the account. Moneys in the account shall be spent pursuant to appropriation and only for the purposes and in the manner provided in RCW

70.164.040 and sections 4 through 10 of this act. Any moneys appropriated that are not spent by the department shall return to the account.

(2) Notwithstanding RCW 43.84.090, all earnings of investments of balances in the low-income weatherization assistance account shall be credited to the account.

**NEW SECTION.** Sec. 4. The department shall prepare a state plan for the low-income energy assistance and energy conservation programs to ensure the availability and affordability of heating and electric service to low-income citizens. The state plan shall:

(1) Ensure that low-income households, regardless of the primary energy source used for home heating, will receive energy assistance and energy conservation;

(2) Establish uniform eligibility, verification, and documentation requirements for the low-income energy assistance and energy conservation program offered by the state;

(3) Require all energy suppliers to offer an energy conservation and energy assistance program to all qualified customers;

(4) Require demonstration of the performance or of the installation of no-cost or low-cost energy conservation measures, state measures, energy conserving practices and other appropriate program requirements during energy audits;

(5) Establish such registration, certification, training, and inspection programs with respect to energy auditors, suppliers, installers, lenders, and inspectors participating in the state plan as may be necessary or desirable for the public health, safety, and welfare;

(6) Establish and review goals for delivery of energy audits and other program requirements to customers;

(7) Require all home heating energy suppliers to work, either individually or cooperatively, with local community action agencies to publicize the availability of low-income energy assistance and energy conservation programs;

(8) Establish a public advisory committee described in section 9 of this act; and

(9) Coordinate the Washington low-income energy assistance and energy conservation programs.

**NEW SECTION.** Sec. 5. (1) The department shall establish a low-income energy assistance program to ensure the availability and affordability of heating and electric services to low-income households.

(2) The energy assistance program established by the department shall contain the following elements:

(a) The customer shall not be required to pay utility deposits; and

(b) The customer shall be required to apply for any energy conservation programs and any energy education programs created under section 8 of this act for which he or she may be eligible.

(3) An energy supplier may apply to the department for authorization to offer an energy assistance program which differs from the program established by the department but which substantially meets the standards in subsection (2) of this section. A utility-sponsored energy assistance program may include a percentage-of-income payment plan, provide for discounted rates, or include other plans approved by the department.

(4) The department shall adopt rules for the program not later than one hundred eighty days after the effective date of this section. The rules shall be developed in consultation with the advisory committee established by section 9 of this act.

(5) The department, to the maximum extent permitted under federal law, shall use funds made available to the state under the low-income heating energy assistance program for the state program and any equivalent programs approved by the department pursuant to subsection (3) of this section.

**NEW SECTION.** Sec. 6. (1) The department shall establish the low-income energy conservation program. To the extent practicable, the program shall provide for targeting use of both state and federal energy conservation funds to the households of eligible applicants whose ratios of energy costs to income are the highest prior to any reduction in rates being applied. The program shall also provide that low-income households are

served in relatively the same proportion as the heating sources used by the low-income households in the state. The program shall include, but need not be limited to, the following:

(a) A description of the demographic characteristics and energy use patterns of people eligible for assistance pursuant to this chapter;

(b) The methodology used by the department in targeting energy conservation funds;

(c) A description of anticipated activity and results for the year covered by the program, including an estimate of energy cost savings expected to be realized by the energy conservation program; and

(d) An evaluation of results from the energy conservation program in the year preceding the program year, including the effect of state energy conservation program investments on energy consumption and cost in the population eligible for assistance pursuant to this chapter, and the effect of targeted energy conservation investments on the costs of the energy assistance program established pursuant to section 5 of this act.

(2) Allowable expenditures under the energy conservation program include, but are not limited to, the following:

(a) Insulation;

(b) Windows;

(c) Furnace or wood stove repair or replacement;

(d) Caulking;

(e) Doors; and

(f) Labor.

(3) The low-income energy conservation program shall be developed in consultation with the low-income energy assistance advisory committee established pursuant to section 9 of this act.

**NEW SECTION.** Sec. 7. The energy conservation program established pursuant to section 6 of this act shall provide for the replacing of wood stoves as provided in this section. If the low-income household is located in a nonattainment area for ambient air quality, or in an area for which an air authority has prohibited the installation of wood stoves in new construction, the program shall require the wood stove to be replaced by the most cost-efficient source of home heating other than wood or coal. If the household is located in an attainment area and an air authority has not prohibited the installation of wood stoves in new construction, a certified wood stove shall be installed.

**NEW SECTION.** Sec. 8. The department shall develop model energy education programs to be provided as a part of the low-income energy assistance and energy conservation programs. The model energy education programs shall include, but are not limited to, necessary instruction and demonstration of energy conservation measures and money management techniques that the household can adopt to effectively use and preserve energy resources. The model energy education programs shall also provide written educational materials, instructional aids, and follow-up procedures.

**NEW SECTION.** Sec. 9. (1) The department shall establish the low-income energy assistance advisory committee to be comprised of:

(a) The secretary of social and health services, the directors of community development and the state energy office, and the chair of the utilities and transportation commission, or their designees, who shall serve as ex-officio, nonvoting members of the advisory committee;

(b) Fourteen persons appointed by the director of community development to serve two-year terms and until their successors are appointed and qualified. Three shall be persons who represent low-income households or organizations which represent low-income households; seven shall be representatives of energy suppliers: One from the natural gas industry, one from the investor-owned electric industry, one from the publicly owned electric industry, one from the municipal electric industry, one from the oil heat industry, one from the liquefied petroleum gas industry, and one representing the

Washington wood heat association; two shall be representatives from local agencies which contract with the department to provide energy assistance or energy conservation services; and two shall represent owners of low-income rental property, one representing owners of single-family or multifamily units, and one representing owners of mobile home rental units. The chairperson shall be elected from the voting members of the advisory committee.

(2) The energy assistance advisory committee shall have the following duties:

(a) To monitor the administration of this chapter to ensure effective, efficient, and coordinated program development and administration;

(b) To assist the department in developing and administering rules required to be adopted under this chapter in a manner consistent with the purpose and objectives of this chapter;

(c) To facilitate and coordinate the collection and exchange of all program data and other information needed by the department and others in fulfilling their duties pursuant to this chapter;

(d) To advise the department on the proper level of support required for effective administration of this chapter;

(e) To review and comment on any energy assistance, energy conservation, or related plan developed by the department or any energy supplier pursuant to this chapter; and

(f) To prepare and submit not later than December 1 of each year to the appropriate standing committees of the senate and the house of representatives a report which describes the activities of the department in development and implementation of energy assistance and related policies and programs, which characterizes progress towards meeting the objectives and requirements of this chapter, and which recommends any statutory changes which might be needed to further such progress.

NEW SECTION. Sec. 10. (1) A tax is imposed on space heating customers and collected by energy suppliers at the following rates:

(a) For electrical space heating customers and gas space heating customers the tax shall be levied at the rate of thirty-five cents per space heating customer per month;

(b) For heating oil space heating customers the tax shall be levied at the rate of eighty cents per one hundred gallons of fuel oil sold for space heating purposes;

(c) For propane space heating customers the tax shall be levied at the rate of fifty-five cents per one hundred gallons of liquefied petroleum gas sold for space heating.

(2) Moneys collected under this section shall be deposited in the low-income weatherization assistance account under RCW 70.164.030.

(3) Chapter 82.32 RCW applies to the tax imposed in this section. The tax due dates, reporting periods, and return requirements applicable to chapter 82.04 RCW apply equally to the tax imposed in this section.

(4) To the extent feasible, the department shall target the expenditures of tax receipts from taxes collected under this section to the areas where the tax was collected.

(5) The department shall give first priority for funding activities with moneys collected under this section to energy conservation activities. Second priority for funding activities with moneys collected under this section shall be given to energy education activities.

(6) This tax shall be known as the fuel conservation and assistance excise tax.

(7) This section shall expire July 1, 2001.

NEW SECTION. Sec. 11. A new section is added to chapter 43.63A RCW to read as follows:

The department shall require applicants requesting assistance to rehabilitate either single-family or multifamily residential dwellings to coordinate available energy conservation assistance with rehabilitation activities funded through the Washington housing trust fund under chapter 43.185 RCW and the community development block

grant program for states and small cities under the Title I housing and community development act of 1974 (42 U.S.C. 5301 et seq.).

NEW SECTION. Sec. 12. A new section is added to chapter 43.21F RCW to read as follows:

The office, in consultation with the department of community development, shall prepare proposals to sell low-income conservation to utilities.

NEW SECTION. Sec. 13. 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. 14. Sections 4 through 10 of this act are each added to chapter 70.164 RCW.

On page 1, beginning on line 1 of the title, after "assistance;" strike the remainder of the title and insert "amending RCW 70.164.010, 70.164.020, and 70.164.030; adding new sections to chapter 70.164 RCW; adding a new section to chapter 43.63A RCW; and adding a new section to chapter 43.21F RCW."

Signed by Representatives Wang, Chair; Fraser, Vice Chair; Appelwick; Belcher; Leonard; Morris; Phillips; and Rust.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Brumsickle; Day; Morton; and Silver.

Excused: Representative Van Luvan.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1341 Prime Sponsor, Representative Sheldon: Providing economic assistance to timber dependent communities. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Trade & Economic Development be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. FINDINGS AND INTENT. The legislature finds that:  
 (1) The economic health and well-being of timber-dependent communities is of substantial public concern. The significant reduction in annual timber harvest levels likely will result in reduced economic activity and persistent unemployment and underemployment over time, which would be a serious threat to the safety, health, and welfare of residents of the timber-dependent communities, decreasing the value of private investments and jeopardizing the sources of public revenue.

(2) The state is experiencing a dual economy, where growth is occurring rapidly in some areas and is occurring slowly or not at all in other areas. This uneven growth rate across the state is causing some areas to suffer negative impacts from too much growth while other areas experience difficulty in creating adequate economic development. Inadequate economic development is a serious threat to the public safety, health, and welfare of a community. The state has an interest in encouraging growth state-wide,

which reduces the negative impacts of growth in rapidly growing areas and assists areas of the state in need of economic development.

(3) Timber-dependent communities are most often located in areas that are experiencing little or no economic growth, creating an even greater risk to the health, safety, and welfare of these communities. The ability to remedy problems caused by the substantial reduction in harvest activity is beyond the power and control of the regulatory process and influence of the state, and the ordinary operations of private enterprise without additional governmental assistance are insufficient to adequately remedy the resulting problems of poverty and unemployment.

(4) The revitalization and diversification of the economies of timber-dependent communities require the stimulation of private investment, the development of new business ventures, the provision of capital to ventures sponsored by local organizations and capable of growth in the business markets, and assistance to viable, but under-financed, small businesses in order to create and preserve jobs that are sustainable in the local economy. Therefore, the legislature declares there to be a substantial public purpose in providing capital to promote economic development and job creation in distressed areas in general and timber-dependent communities in particular. To accomplish this purpose, it is the intent of the legislature to:

(a) Increase the public financing of infrastructure necessary for economic development and make such financing more flexible;

(b) Increase and target the amount of public financing available to businesses to better create or preserve jobs through formation or expansion of viable enterprises;

(c) Provide technical and financial assistance to businesses to increase the export of products from timber-dependent communities;

(d) Increase the resources available to associated development organizations to provide economic and community development services in timber-dependent communities and to provide resource and referral services to the community regarding state and local economic and community development services;

(e) Increase training and retraining services accessible to timber-dependent communities; and

(f) Provide for coordination of noneconomic development services in timber-dependent communities as economic development efforts will not succeed unless social, housing, health, and other needs are addressed.

Sec. 2. RCW 43.160.010 and 1989 c 431 s 61 are each amended to read as follows:

**INFRASTRUCTURE FINANCING--CERB--INTENT.** (1) The legislature finds that it is the public policy of the state of Washington to direct financial resources toward the fostering of economic development through the stimulation of investment and job opportunities and the retention of sustainable existing employment for the general welfare of the inhabitants of the state. Reducing unemployment and reducing the time citizens remain jobless is important for the economic welfare of the state. A valuable means of fostering economic development is the construction of public facilities which contribute to the stability and growth of the state's economic base. Strengthening the economic base through issuance of industrial development bonds, whether single or umbrella, further serves to reduce unemployment. Consolidating issues of industrial development bonds when feasible to reduce costs additionally advances the state's purpose to improve economic vitality. Expenditures made for these purposes as authorized in this chapter are declared to be in the public interest, and constitute a proper use of public funds. A community economic revitalization board is needed which shall aid the development of economic opportunities. The general objectives of the board should include:

(a) Strengthening the economies of areas of the state which have experienced or are expected to experience chronically high unemployment rates or below average growth in their economies;

(b) Encouraging the diversification of the economies of the state and regions within the state in order to provide greater seasonal and cyclical stability of income and employment;

(c) Encouraging wider access to financial resources for both large and small industrial development projects;

(d) Encouraging new economic development or expansions to maximize employment;

(e) Encouraging the retention of viable existing firms and employment; and

(f) Providing incentives for expansion of employment opportunities for groups of state residents that have been less successful relative to other groups in efforts to gain permanent employment.

(2) The legislature also finds that the state's economic development efforts can be enhanced by, in certain instances, providing funds to improve state highways in the vicinity of new industries considering locating in this state or existing industries that are considering significant expansion.

(a) The legislature finds it desirable to provide a process whereby the need for diverse public works improvements necessitated by planned economic development can be addressed in a timely fashion and with coordination among all responsible governmental entities.

(b) It is the intent of the legislature to create an economic development account within the motor vehicle fund from which expenditures can be made by the department of transportation for state highway improvements necessitated by planned economic development. All such improvements must first be approved by the state transportation commission and the community economic revitalization board in accordance with the procedures established by RCW 43.160.074 and 47.01.280. It is further the intent of the legislature that such improvements not jeopardize any other planned highway construction projects. The improvements are intended to be of limited size and cost, and to include such items as additional turn lanes, signalization, illumination, and safety improvements.

(3) The legislature also finds that the state's economic development efforts can be enhanced by providing funds to improve markets for those recyclable materials representing a large fraction of the waste stream. The legislature finds that public facilities which result in private construction of processing or remanufacturing facilities for recyclable materials are eligible for consideration from the board.

(4) The legislature finds that sharing economic growth state-wide is important to the welfare of the state. Distressed areas and timber-dependent communities do not share in the economic vitality of the Puget Sound region. Infrastructure is one of several ingredients that are critical for economic development. Distressed areas and timber-dependent communities generally lack the infrastructure necessary to diversify and revitalize their economies. It is, therefore, the intent of the legislature to increase the availability of funds to help provide infrastructure to distressed areas and timber-dependent communities.

Sec. 3. RCW 43.160.020 and 1985 c 466 s 58 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Board" means the community economic revitalization board.

(2) "Bond" means any bond, note, debenture, interim certificate, or other evidence of financial indebtedness issued by the board pursuant to this chapter.

(3) "Department" means the department of trade and economic development or its successor with respect to the powers granted by this chapter.

(4) "Financial institution" means any bank, savings and loan association, credit union, development credit corporation, insurance company, investment company, trust company, savings institution, or other financial institution approved by the board and maintaining an office in the state.

(5) "Industrial development facilities" means "industrial development facilities" as defined in RCW 39.84.020.

(6) "Industrial development revenue bonds" means tax-exempt revenue bonds used to fund industrial development facilities.

(7) "Local government" means any port district, county, city, or town.

(8) "Sponsor" means any of the following entities which customarily provide service or otherwise aid in industrial or other financing and are approved as a sponsor by the board: A bank, trust company, savings bank, investment bank, national banking association, savings and loan association, building and loan association, credit union, insurance company, or any other financial institution, governmental agency, or holding company of any entity specified in this subsection.

(9) "Umbrella bonds" means industrial development revenue bonds from which the proceeds are loaned, transferred, or otherwise made available to two or more users under this chapter.

(10) "User" means one or more persons acting as lessee, purchaser, mortgagor, or borrower under a financing document and receiving or applying to receive revenues from bonds issued under this chapter.

(11) Until July 1, 1995, "timber-dependent community" means a county, city, or town located in a county meeting two of the following three criteria for the most recent year such data is available: (a) A lumber and wood products employment location quotient at or above the state average, (b) a direct lumber and wood products job loss of one hundred or more, or (c) an annual unemployment rate twenty percent or more above the state average.

(12) Until July 1, 1995, "small scale tourism project" means a project that where added to the current facilities in the area attracts additional visitors for overnight stays and will be used primarily by nonresidents of the immediate area. A small scale tourism project may be a new project or an expansion or refurbishment of an existing facility.

NEW SECTION. Sec. 4. A new section is added to chapter 43.160 RCW to read as follows:

(1) The economic development account is created within the public facilities construction loan revolving fund under RCW 43.160.080. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the purposes of RCW 43.160.010(4) and this section. The account is subject to allotment procedures under chapter 43.88 RCW.

(2) Applications under this section for assistance from the economic development account are subject to all of the applicable criteria set forth under this chapter, as well as procedures and criteria established by the board, except as otherwise provided.

(3) Eligible applicants under this section are limited to political subdivisions of the state in timber-dependent communities that demonstrate, to the satisfaction of the board, the local economy's dependence on the forest products industry.

(4) Applicants must demonstrate that their request is part of an economic development plan consistent with applicable state planning requirements. Industrial projects must be approved by the local government and the associate development organization. Applicants must demonstrate that small scale tourism projects have been approved by the local government and are part of a regional tourism plan approved by the local and regional tourism organizations.

(5) Publicly owned projects may be financed under this section upon proof by the applicant that the public project is a necessary component of, or constitutes in whole, a small scale tourism project.

(6) Applications must demonstrate local match and participation. The amount of local match shall not be less than twenty percent of the total dollar amount sought in the application. Such match may include: Land donation, other public or private funds or both, or other means of local commitment to the project.

(7) Board financing for feasibility studies shall not exceed twenty-five thousand dollars per study. Board funds for feasibility studies may be provided as a grant and require a dollar for dollar match with up to one-half in-kind match allowed.

(8) Board financing for small scale tourism projects shall not exceed two hundred fifty thousand dollars. Other public facility projects under this section shall not exceed five hundred thousand dollars. Loans with flexible terms and conditions to meet the needs of the applicants shall be provided. Grants may also be authorized, but only when, and to the extent that, a loan is not reasonably possible, given the limited resources of the political subdivision.

(9) The board shall develop guidelines for allowable local match and feasibility studies.

(10) Applications under this section need not demonstrate evidence that specific private development or expansion is ready to occur or will occur if funds are provided.

(11) This section shall expire July 1, 1995.

NEW SECTION. Sec. 5. A new section is added to chapter 43.160 RCW to read as follows:

The board shall establish guidelines for making grants and loans to ensure that the requirements of this chapter are complied with. The guidelines shall include:

(1) A process to equitably compare and evaluate applications from competing communities.

(2) Criteria to ensure that approved projects will have a high probability of success and are likely to provide long-term economic benefits to the community. The board shall give priority to applications from communities with high unemployment rates or high rates of timber unemployment. The criteria shall include: (a) A minimum amount of local participation, determined by the board per application, to verify community support for the project; (b) an analysis that establishes the project is feasible using standard economic principles; and (c) an explanation from the applicant regarding how the project is consistent with the communities' economic strategy and goals.

(3) A method of evaluating the impact of the loans or grants on the economy of the community and whether the loans or grants achieved their purpose. The board shall provide to the legislative fiscal committees a report by January 15, 1995, and January 15, 1996, identifying by county the economic growth and/or economic diversification attributable to the loan and grant awards authorized by sections 4 and 5 of this act and RCW 43.160.076.

This section shall expire July 1, 1995.

Sec. 6. RCW 43.160.076 and 1985 c 446 s 6 are each amended to read as follows:

**INFRASTRUCTURE FINANCING--CERB--PRIORITY TO TIMBER AND DISTRESSED COMMUNITIES.** (1) (a) Except as authorized to the contrary under ((sub)section-(2)) (b) of this ((section)) subsection, from all funds available to the board for loans and grants, the board shall spend at least twenty percent for grants and loans for projects in distressed counties. For purposes of this section, the term "distressed counties" includes any county, in which the average level of unemployment for the three years before the year in which an application for a loan or grant is filed, exceeds the average state employment for those years by twenty percent or more.

((2)) (b) If at any time during the last six months of a biennium the board finds that the actual and anticipated applications for qualified projects in distressed counties are clearly insufficient to use up the twenty percent allocation, then the board shall estimate the amount of the insufficiency and during the remainder of the biennium may use that amount of the allocation for loans and grants for projects not located in distressed counties.

(c) This subsection (1) shall apply on and after July 1, 1995.

(2)(a) Except as authorized to the contrary under (b) of this subsection, from all funds available to the board for loans and grants, the board shall spend at least fifty

percent for grants and loans for projects in distressed counties or timber-dependent communities. For purposes of this section, the term "distressed counties" includes any county in which the average level of unemployment for the three years before the year in which an application for a loan or grant is filed exceeds the average state employment for those years by twenty percent or more.

(b) If at any time during the last six months of a biennium the board finds that the actual and anticipated applications for qualified projects in distressed counties or timber-dependent communities are clearly insufficient to use up the fifty percent allocation, then the board shall estimate the amount of the insufficiency and during the remainder of the biennium may use that amount of the allocation for loans and grants for projects not located in distressed counties or timber-dependent communities.

(c) This subsection (2) shall expire on July 1, 1995.

Sec. 7. RCW 43.160.080 and 1987 c 422 s 6 are each amended to read as follows:

**INFRASTRUCTURE--CERB--REVOLVING LOAN FUND REPAYMENTS.**

There shall be a fund known as the public facilities construction loan revolving fund, which shall consist of all moneys collected under this chapter, except moneys of the board collected in connection with the issuance of industrial development revenue bonds, and any moneys appropriated to it by law: PROVIDED, That seventy-five percent of all principal and interest payments on loans made with the proceeds deposited in the fund under section 901, chapter 57, Laws of 1983 1st ex. sess. shall be deposited in the general fund as reimbursement for debt service payments on the bonds authorized in RCW 43.83.184. The state treasurer shall be custodian of the revolving fund. Disbursements from the revolving fund shall be on authorization of the board. In order to maintain an effective expenditure and revenue control, the public facilities construction loan revolving fund shall be subject in all respects to chapter 43.88 RCW(~~(, but no appropriation is required to permit expenditures and payment of obligations from the fund)~~).

Moneys in this fund not needed to meet the current expenses and obligations of the board shall be invested in the manner authorized for moneys in revolving funds. Any interest earned shall be deposited in this fund and shall be used for the purposes specified in this chapter. The state treasurer shall render reports to the board advising of the status of any funds invested, the market value of the assets as of the date the statement is rendered, and the income received from the investments during the period covered by the report.

NEW SECTION. Sec. 8. A new section is added to chapter 43.31 RCW to read as follows:

**INCREASING EXPORTS FROM TIMBER-DEPENDENT COMMUNITIES.** (1) Marketing is a vital element in expanding the economies of timber-dependent communities. The export of products produced in timber-dependent areas contributes substantial economic benefits to these communities, including an increase in jobs and an increase in tax revenues to the state and local governments.

(2)(a) Subject to funding for this subsection, the department shall contract with the small business export finance assistance center, created in chapter 43.210 RCW, to assist businesses in timber-dependent communities obtain financing for the export of their products. The department shall assist the small business export finance assistance center to ensure the services available under this subsection are understood and accessible in timber-dependent communities.

(b) Subject to funding for the necessary reserve funds, the Washington economic development finance authority, created in chapter 43.163 RCW, shall provide financing for export transactions where the product being exported is produced in timber-dependent communities.

(3) The department may make rules that are necessary to carry out this section and to coordinate the services described in this section and to prioritize the services based on greatest negative impact from the harvest reductions.

(4) For purposes of this section, the definition of "timber-dependent community" is the same as RCW 43.160.020.

NEW SECTION. Sec. 9. A new section is added to chapter 43.31 RCW to read as follows:

(1) The Washington wood products competitiveness commission is created. The commission shall have nine members as follows:

(a) One representative each from the departments of trade and economic development, community development, natural resources, and the employment security department appointed by the directors or the commissioners of the respective departments;

(b) One representative of the office of financial management, who shall chair the commission, appointed by the governor;

(c) One representative of the Washington hardwoods commission appointed by the hardwoods commission;

(d) One member representing primary wood products manufacturers appointed by the director of the department; and

(e) Two members representing secondary wood products manufacturers appointed by the director of the department.

(2) Since the best hope for quickly replacing some of the jobs being lost in primary manufacturing may be in value-added and secondary manufacturing, the legislature intends that the commission design a set of programs to stimulate the growth of value-added and secondary wood products manufacturing in Washington and increase the involvement of the wood products industry in value-added products and business networks.

(3) The legislature also intends that after two years, the commission become industry supported and industry operated.

(4) Members not representing state government shall serve a term of three years, with the initial members serving staggered terms of one year, two years, and three years as determined by the director of the department.

(5) Travel expenses may be reimbursed under RCW 43.03.050 and 43.03.060.

(6) Staff support for the commission shall be provided by the department.

NEW SECTION. Sec. 10. A new section is added to chapter 43.31 RCW to read as follows:

The Washington wood products competitiveness commission shall:

(1) Gather, analyze, and disseminate information about the competitiveness of the wood products industry in this state and make that information available to the wood products industry, state government, and the general public.

(2) Encourage cooperation among wood products firms through the formation of business networks to develop solutions to technology and product development problems, acquire and disseminate marketing information, promote and market wood products of this state, and address other common industry problems.

(3) Assist the department in the department's efforts to increase the competitiveness of the industry and increase the production of value-added products by contracting for feasibility studies and product research and development. The contracts under this subsection shall:

(a) Be of general benefit to the industry rather than intended to benefit a specific firm; and

(b) Be for such activities as identifying options, assessing markets, evaluating business and financial risks, addressing production issues, and assessing new technologies.

(4) Work with state agencies, wood products firms, wood products industry associations, and institutions of higher education in this state to assure close coordination of all efforts to improve the competitiveness of the wood products industry in this state.

(5) Report periodically to the governor, the legislature, the wood products industry, and the general public on the competitive position of the wood products industry in this

state, and make such recommendations as the commission determines appropriate for public or private actions needed to improve the competitiveness of the wood products industry in this state. The commission shall recommend, by January 1, 1992, how to change this public commission into a commodity-style industry commission, and recommend a fair method of assessment for the industry to fund the commission.

NEW SECTION. Sec. 11. A new section is added to chapter 43.31 RCW to read as follows:

The Washington wood products competitiveness commission may:

(1) Engage, with private sector funds only, in informational and promotional activities to increase the awareness and recognition of the value of wood products in this state and of the contribution of wood products to the economy of this state.

(2) Contract for research activities to develop and apply new technologies for wood products manufacture related to the commission's and the department's efforts to make value-added wood products industries more competitive. Any public funds used for this subsection shall be matched at least dollar for dollar by private funds. In carrying out research for development and application of new manufacture technologies, the commission may promote activities including, but not limited to:

(a) Improved utilization of wood wastes;

(b) Improved utilization of lower grade and underutilized lumber;

(c) Alternative uses for underutilized species of softwood and hardwood;

(d) New and improved utilization of select and clear grade lumber to produce high quality and high value-added wood products in Washington;

(e) Identifying unique properties and characteristics of wood species of this state and determining products particularly suited to those properties and characteristics; or

(f) Providing access to testing facilities and services for wood products firms in this state.

NEW SECTION. Sec. 12. A new section is added to chapter 43.06 RCW to read as follows:

**COORDINATION OF STATE AND LOCAL SERVICES.** (1) The governor, or the governor's designee, shall coordinate state noneconomic development related assistance provided to timber-dependent communities to ensure state services are delivered effectively and efficiently and coordinated locally with minimal duplication and maximum local access.

(2) Associate development organizations located in timber-dependent communities shall assist the governor in coordinating the delivery of state economic development related services locally. The associate development organization, as the primary local coordinating organization for state and local economic development services, shall provide resource and referral services to ensure state and local economic development services are delivered effectively and efficiently with minimal duplication and maximum local access.

NEW SECTION. Sec. 13. **TITLE.** This act may be referred to as "the omnibus timber community assistance act."

NEW SECTION. Sec. 14. **SECTION HEADINGS ARE NOT LAW.** Section headings as used in this act do not constitute any part of the law.

NEW SECTION. Sec. 15. 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. 16. 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 shall take effect immediately.

On page 1, line 1 of the title, after "development;" strike the remainder of the title and insert "amending RCW 43.160.010, 43.160.020, 43.160.076, and 43.160.080; adding new sections to chapter 43.160 RCW; adding new sections to chapter 43.31 RCW; adding

a new section to chapter 43.06 RCW; creating new sections; and declaring an emergency."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; McLean; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Wang; and Wineberry.

Excused: Representatives Dorn; Ebersole; Holland; May; Mielke; Peery; and Vance.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1358 Prime Sponsor, Representative Dorn: Allowing educational employees to choose a benefit plan in lieu of remuneration for unused sick leave. Reported by Committee on Appropriations

MAJORITY recommendation: That Substitute House Bill No. 1358 be substituted therefor, and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; Sprengle; Valle; Vance; and Wineberry.

Excused: Representatives Holland and Lisk.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1390 Prime Sponsor, Representative Hine: Creating a community mobilization program for teens. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Human Services be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) The legislature finds that the population of teens in Washington state will be increasing through the mid-1990's, and that, in light of this increasing population, our state has a growing need for highly skilled and motivated workers that are members of healthy families. Therefore, Washington state cannot afford to lose any teens to substance abuse, teen pregnancy, juvenile crime, or dropping out of school. The legislature further finds that teens who drop out of school are two to three times more likely to live in poverty as adults. Teen mothers are less likely to finish high school, more likely to be separated or divorced, and more likely to live in poverty. Their children are more likely to exhibit lower academic achievement and to show a tendency to repeat their mother's pattern of early childbearing. Teens who abuse drugs and alcohol are more likely to be school drop outs and engage in criminal behavior.

(2) The legislature further finds that the most effective strategy to comprehensively meet the diverse needs of teens is through collaborative efforts of government agencies, youth service organizations, businesses, schools, parents, and teens to plan and provide services to teens.

(3) The legislature further finds that local communities are best able to determine the most appropriate design and location of programs to comprehensively and cooperatively support teens in their community.

(4) The purpose of this chapter is to equip teens with the resources, skills, knowledge, and motivation necessary to maintain a healthy lifestyle and successfully enter the job market or pursue higher education, through the establishment of community mobilization projects for teens in six pilot sites geographically distributed throughout the state.

NEW SECTION. Sec. 2. Definitions. (1) "Department" means the department of social and health services.

(2) "Secretary" means the secretary of the department of social and health services.

(3) "Community" means an individual political subdivision of the state, a group of such political subdivisions, or a geographic area within a political subdivision.

NEW SECTION. Sec. 3. (1) There is established in the department a community mobilization program for teens, which may fund and coordinate up to six community-based projects to develop targeted and coordinated strategies to meet the needs of teens.

(2) Applications for project funding under this chapter shall:

(a) Define the community requesting funding;

(b) Contain evidence of the active participation of public and private entities in the community, including the various communities of color, that are now providing, or might appropriately provide, services to teens, including, at a minimum, schools, law enforcement, local government, libraries, youth services agencies and organizations, job training organizations, mental health, and health care providers;

(c) Demonstrate establishment of a project advisory board composed of teens, parents, and representatives of a broad cross-section of other community members who have an interest in meeting the needs of teens, and assure that the advisory board has been consulted in development of the application;

(d) Designate a lead agency or organization for the project, and provide evidence of written interagency agreements with existing youth service organizations to carry out project activities. The agency or organization designated as lead agency shall have demonstrated sensitivity and responsiveness to the plurality of community values and the cultural and ethnic heritage of community members;

(e) Identify a project site that is accessible to teens during evenings and weekends, from which services and activities can be provided or referrals made;

(f) Describe the services and activities that will be undertaken by the project, including identification of specific services and activities for which funding is requested. Core services provided at each project site shall include, at a minimum: Health screening and referrals; employment search and job training; mental health counseling; substance abuse treatment; and family counseling. Health screening and referrals shall not include the dispensing of contraceptives. Referrals of pregnant teens for health care services shall be to persons, agencies, or organizations with maternity care services practices that primarily emphasize healthy birth outcomes. Projects may address other local service needs such as drop-out prevention, substance abuse prevention, inpatient substance abuse treatment, additional support services for teen parents, literacy programs, and recreational activities, by offering those services at the project site or through referrals to community organizations;

(g) Describe the coordinated system for meeting the needs of teens that the community will develop, including a description of how the proposed system will build

upon existing services and existing community efforts to coordinate the delivery of services to teens;

(h) Identify community matching funds, as provided in section 4 of this act, that have been committed to the project; and

(i) Provide assurances that the project will cooperate, through the provision of requested data and information, with the evaluation provided for in section 6 of this act.

NEW SECTION. Sec. 4. (1) The secretary may issue grants for community mobilization projects for teens. Grants shall be made competitively based upon information provided in applications for funding. To the greatest extent practicable, grants shall be geographically distributed throughout the state.

(2) The department shall provide a staff person to administer and coordinate the program established under this chapter, and shall provide technical assistance to communities applying for or receiving funds under this chapter.

(3) Technical assistance provided by the department shall include the identification of means to creatively blend categorical funds, to the extent not prohibited by federal law, in a manner that allows teens' needs to determine the services they will receive.

(4) Twenty-five percent of the funding for projects under this chapter shall be community matching funds provided by private or public entities in the communities requesting funding. Contributions of materials, supplies, or physical facilities may be considered as all or part of the funding provided by the communities.

NEW SECTION. Sec. 5. Community mobilization projects for teens shall have an initial duration of two years. To the extent funding is available, projects may be renewed for an additional two-year period by the department.

NEW SECTION. Sec. 6. The department shall contract with an independent entity to evaluate the effectiveness of the program established in this chapter. The evaluation shall develop standards for measuring the success of community mobilization projects, considering factors such as school completion, employment, and teen pregnancy rates. The department shall submit an evaluation report to appropriate committees of the legislature by December 1, 1994, and biennially thereafter.

NEW SECTION. Sec. 7. 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. 8. If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. The rules under this act shall meet federal requirements that are a necessary condition to the receipt of federal funds by the state.

NEW SECTION. Sec. 9. Sections 1 through 6 of this act shall constitute a new chapter in Title 74 RCW.

NEW SECTION. Sec. 10. If by June 30, 1991, the omnibus operating budget appropriations act for the 1991-93 biennium does not provide specific funding for this act, referencing this act by bill number, this act is null and void.

On page 1, line 2 of the title, after "teens;" strike the remainder of the title and insert "adding a new chapter to Title 74 RCW; and creating new sections."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole;

Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Vance; Wang; and Wineberry.

Excused: Representative Holland.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1395 Prime Sponsor, Representative Ludwig: Maintaining the Washington state patrol crime laboratory locations. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass with the following amendments:

On page 1, strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The Washington state patrol shall maintain crime laboratories in at least the same locations as it did as of December 31, 1990, and shall provide services at each of those locations during the biennium beginning July 1, 1991.

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 shall take effect immediately.

On page 1, line 2 of the title, after "system;" strike the remainder of the title and insert "creating a new section; and declaring an emergency."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Valle; Vance; Wang; and Wineberry.

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

Excused: Representatives Holland and Sprenkle.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1408 Prime Sponsor, Representative Dellwo: Establishing a license to sell liquor in motels. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Appelwick; Bowman; Braddock; Brekke; Dorn; Ferguson; Fuhrman; Hine; May; McLean; Mielke; Peery; Pruitt; H. Sommers; Sprenkle; Valle; Vance; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Morton, Assistant Ranking Minority Member; Nealey; and Wang.

Excused: Representatives Spanel, Vice Chair; Ferguson; Holland; Lisk; Pruitt; and Rust.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1426 Prime Sponsor, Representative Grant: Establishing the center for sustaining agriculture and natural resources, and the food and environmental quality laboratory as research and extension programs of Washington State University. Reported by Committee on Appropriations

**MAJORITY recommendation:** The substitute bill by Committee on Agriculture & Rural Development be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that public concerns are increasing about the need for significant efforts to develop sustainable systems in agriculture. The sustainable systems would address many anxieties, including the erosion of agricultural lands, the protection of natural resources, and the safety of food production. Consumers have demonstrated their apprehension in the marketplace by refusing to purchase products whose safety is suspect and consumer confidence is essential for a viable agriculture in Washington. Examples of surface and ground water contamination by pesticides and chemical fertilizers raise concerns about deterioration of environmental quality. Reducing soil erosion would maintain water quality and protect the long-term viability of the soil for agricultural productivity. Both farmers and farm labor are apprehensive about the effects of pesticides on their health and personal safety. Development of sustainable farming systems would strengthen the economic viability of Washington's agricultural production industry.

Public anxieties over the use of chemicals in agriculture have resulted in congress amending the federal insecticide, fungicide and rodenticide act which requires all pesticides and their uses registered before November 1984 to be reregistered, complying with present standards, by the end of 1997. The legislature finds that the pesticide reregistration process and approval requirements could reduce the availability of chemical pesticides for use on minor crops in Washington and may jeopardize the farmers' ability to grow these crops in Washington.

The legislature recognizes that Washington State University supports research and extension programs that can lead to reductions in pesticide use where viable alternatives are both environmentally and economically sound. Yet, the legislature finds that a focused and coordinated program is needed to develop possible alternatives, increase public confidence in the safety of the food system, and educate farmers and natural resource managers on land stewardship.

The legislature further finds that growers, processors, and agribusiness depend upon pesticide laboratories associated with manufacturers, regional universities, state departments of agriculture, and the United States department of agriculture to provide residue data for registering essential pesticides. The registration of uses for minor crops, which include vegetables, fruits, nuts, berries, nursery and greenhouse crops, and reregistration of needed chemicals, are activities of particular concern to ensure crop production. Furthermore, public demands for improved information and education on pesticides and risk assessment efforts justify these efforts.

The legislature further finds that multiple alternatives are needed for pest control, including programs for integrated pest management, genetic resistance to pests, biological control, cultural practices, and the use of appropriate approved chemicals.

**NEW SECTION.** Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Center" means the center for sustaining agriculture and natural resources established at Washington State University.

(2) "Laboratory" means the food and environmental quality laboratory established at Washington State University at Tri-Cities.

(3) "Integrated pest management" is a strategy that uses various combinations of pest control methods, biological, cultural, and chemical, in a compatible manner to achieve satisfactory control and ensure favorable economic and environmental consequences.

(4) "IR-4 program" means interregional research project number four, clearances of chemicals and biologics for minor or special uses, established in 1963 by the cooperative state research service of the United States department of agriculture, the coordinated national program involving land-grant universities and the United States department of agriculture to provide data required for the registration of pesticides needed for the production of minor crops.

(5) "Natural resources" means soil, water, air, forests, wetlands, wildlands, and wildlife.

(6) "Pesticide" means chemical or biologic used to control pests such as insect, rodent, nematode, snail, slug, weed, virus, or any organism the director of agriculture may declare to be a pest.

(7) "Registration" means use of a pesticide approved by the state department of agriculture.

(8) "Sustainable agriculture" means a systems approach to farming, ranching, and natural resource production that builds on and supports the physical, biological, and ecological resource base upon which agriculture depends. The goals of sustainable agriculture are to provide human food and fiber needs in an economically viable manner for the agriculture industry and in a manner which protects the environment and contributes to the overall safety and quality of life.

**NEW SECTION.** Sec. 3. It is the understanding of the legislature that the establishment of a center for sustaining agriculture and natural resources is a high priority for Washington State University and that the university can proceed with establishing the center even without additional state funding. Therefore, a center for sustaining agriculture and natural resources is established at Washington State University. The center shall provide state-wide leadership in research, extension, and resident instruction programs to sustain agriculture and natural resources. The center shall operate even without additional state funding for this purpose.

**NEW SECTION.** Sec. 4. The center's primary activities include but are not limited to:

(1) Research programs which focus on developing possible alternative production and marketing systems through:

- (a) Integrated pest management;
- (b) Biological pest control;
- (c) Plant and animal breeding;
- (d) Conservation strategies; and
- (e) Understanding the ecological basis of nutrient management;

(2) Extension programs which focus on:

- (a) On-farm demonstrations and evaluation of alternative production practices;
- (b) Information dissemination, and education concerning sustainable agriculture and natural resource systems; and

(c) Communication and training on sustainable agriculture strategies for consumers, producers, and farm and conservation-related organizations;

(3) On-farm testing and research to calculate and demonstrate costs and benefits, including economic and environmental benefits and trade-offs, inherent in farming systems and technologies;

(4) Crop rotation and other natural resource processes such as pest-predator interaction to mitigate weed, disease, and insect problems, thereby reducing soil erosion and environmental impacts;

(5) Management systems to improve nutrient uptake, health, and resistance to diseases and pests by incorporating the genetic and biological potential of plants and animals into production practices;

(6) Soil management, including conservation tillage and other practices to minimize soil loss and maintain soil productivity; and

(7) Animal production systems emphasizing preventive disease practices and mitigation of environmental pollution.

NEW SECTION. Sec. 5. The center is managed by an administrator. The administrator shall hold a joint appointment as an assistant director in the Washington State University agricultural research center and cooperative extension.

(1) A committee shall advise the administrator. The dean of the Washington State University college of agriculture and home economics shall make appointments to the advisory committee so the committee is representative of affected groups, such as the Washington department of social and health services, the Washington department of ecology, the Washington department of agriculture, the chemical and fertilizer industry, food processors, marketing groups, consumer groups, environmental groups, and natural resource and agricultural organizations.

(2) Each appointed member shall serve a term of three years, and one-third are appointed every year. The entire committee is appointed the first year: One-third for a term of one year, one-third for a term of two years, and one-third for a term of three years. A member shall continue to serve until a successor is appointed. Vacancies are filled by appointment for the unexpired term. The members of the advisory committee shall serve without compensation but shall be reimbursed for travel expenses incurred while engaged in the business of the committee as provided in RCW 43.03.050 and 43.03.060.

(3) It is the responsibility of the administrator, in consultation with the advisory committee, to:

(a) Recommend research and extension priorities for the center;

(b) Conduct a competitive grants process to solicit, review, and prioritize research and extension proposals; and

(c) Advise Washington State University on the progress of the development and implementation of research, teaching, and extension programs that sustain agriculture and natural resources of Washington.

NEW SECTION. Sec. 6. A food and environmental quality laboratory is established at Washington State University at Tri-Cities to conduct pesticide residue studies concerning fresh and processed foods, in the environment, and for human and animal safety. The laboratory shall cooperate with public and private laboratories in Washington, Idaho, and Oregon.

NEW SECTION. Sec. 7. The responsibilities of the laboratory shall include:

(1) Evaluating regional requirements for minor crop registration through the federal IR-4 program;

(2) Conducting studies on the fate of pesticides on crops and in the environment, including soil, air, and water;

(3) Improving pesticide information and education programs; and

(4) Assisting federal and state agencies with questions regarding registration of pesticides which are deemed critical to crop production, consistent with priorities established in section 8 of this act; and

(5) Assisting in the registration of biopesticides, pheromones, and other alternative chemical and biological methods.

**NEW SECTION.** Sec. 8. The laboratory is advised by a board appointed by the dean of the Washington State University college of agriculture and home economics. The dean shall cooperate with appropriate officials in Washington, Idaho, and Oregon in selecting board members.

(1) The board shall consist of one representative from each of the following interests: A human toxicologist or a health professional knowledgeable in worker exposure to pesticides, the Washington State University vice-provost for research or research administrator, representatives from the state department of agriculture, the department of ecology, the department of health, the department of labor and industry, privately owned Washington pesticide analytical laboratories, federal regional pesticide laboratories, an Idaho and Oregon laboratory, whether state, university, or private, a chemical and fertilizer industry representative, farm organizations, food processors, marketers, farm labor, environmental organizations, and consumers. Each board member shall serve a three-year term. The members of the board shall serve without compensation but shall be reimbursed for travel expenses incurred while engaged in the business of the board as provided in RCW 43.03.050 and 43.03.060.

(2) The board is in liaison with the pesticide advisory board and the pesticide incident reporting and tracking panel and shall review the chemicals investigated by the laboratory according to the following criteria:

(a) Chemical uses for which a data base exists on environmental fate and acute toxicology, and that appear safer environmentally than pesticides available on the market;

(b) Chemical uses not currently under evaluation by public laboratories in Idaho or Oregon for use on Washington crops;

(c) Chemicals that have lost or may lose their registration and that no reasonably viable alternatives for Washington crops are known; and

(d) Other chemicals vital to Washington agriculture.

(3) The laboratory shall conduct research activities using approved good laboratory practices, namely procedures and recordkeeping required of the national IR-4 minor use pesticide registration program.

(4) The laboratory shall coordinate activities with the national IR-4 program.

**NEW SECTION.** Sec. 9. The center for sustaining agriculture and natural resources at Washington State University shall prepare and present an annual report to the appropriate legislative committees. The first report, due no later than November 1, 1992, shall identify criteria for determining acceptable risk for human and environmental exposure to agricultural chemicals and the center's plan for conducting research and education to find and promote acceptable alternatives to those chemicals that do not meet the criteria established in the report. For each subsequent year, the report shall detail the center's progress toward meeting the goals identified in section 4 of this act.

**NEW SECTION.** Sec. 10. If by June 30, 1991, the omnibus operating budget appropriations act for the 1991-93 biennium does not provide specific funding for sections 6, 7, and 8 of this act, referencing those specific sections of this act by bill number and section numbers, those sections of this act are null and void.

**NEW SECTION.** Sec. 11. Sections 1 through 9 of this act shall constitute a new chapter in Title 15 RCW.

On page 1, line 2 of the title, after "University;" strike the remainder of the title and insert "adding a new chapter to Title 15 RCW; and creating a new section."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; McLean; Nealey; Pruitt; Rust; H. Sommers; Sprengle; Valle; Wang; and Wineberry.

Excused: Representatives Holland; May; Mielke; and Vance.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1459 Prime Sponsor, Representative Sprengle: Creating a comprehensive approach to recycling and recyclable material markets. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill by Committee on Environmental Affairs be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Revenue:

Strike everything after the enacting clause and insert the following:

"PART I

PACKAGING"

Sec. 101. RCW 70.93.020 and 1979 c 94 s 2 are each amended to read as follows:

The purpose of this chapter is to accomplish litter control and stimulate private recycling programs throughout this state by delegating to the department of ecology the authority to:

(1) Conduct a permanent and continuous program to control and remove litter from this state to the maximum practical extent possible;

(2) Recover and recycle waste materials related to litter and littering;

(3) Foster private recycling and markets for recyclable materials; and

(4) Increase public awareness of the need for recycling and litter control. It is further the intent and purpose of this chapter to create jobs for employment of youth in litter cleanup and related activities and to stimulate and encourage small, private recycling centers. This program shall include the compatible goal of recovery of recyclable materials to conserve energy and natural resources wherever practicable. Every other department of state government and all local governmental units and agencies of this state shall cooperate with the department of ecology in the administration and enforcement of this chapter. The intent of this chapter is to add to and to coordinate existing recycling and litter control and removal efforts and not terminate or supplant such efforts.

Sec. 102. RCW 70.93.030 and 1979 c 94 s 3 are each amended to read as follows:

As used in this chapter unless the context indicates otherwise:

(1) "Department" means the department of ecology;

(2) "Director" means the director of the department of ecology;

(3) "Disposable package or container" means all packages or containers defined as such by rules and regulations adopted by the department of ecology;

(4) "Litter" means all waste material including but not limited to disposable packages or containers thrown or deposited as herein prohibited but not including the wastes of the primary processes of mining, logging, sawmilling, farming, or manufacturing;

(5) "Litter bag" means a bag, sack, or other container made of any material which is large enough to serve as a receptacle for litter inside the vehicle or watercraft of any

person. It is not necessarily limited to the state approved litter bag but must be similar in size and capacity;

(6) "Litter receptacle" means those containers adopted by the department of ecology and which may be standardized as to size, shape, capacity, and color and which shall bear the state anti-litter symbol, as well as any other receptacles suitable for the depositing of litter;

(7) "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or other entity whatsoever;

(8) "Recycling" means ~~((the process of separating, cleansing, treating, and reconstituting used or discarded litter related materials for the purpose of recovering and reusing the resources contained therein))~~ transforming or remanufacturing waste materials into a finished product for use other than landfill disposal or incineration;

(9) "Recycling center" means a central collection point for recyclable materials;

(10) "Vehicle" includes every device capable of being moved upon a public highway and in, upon, or by which any persons or property is or may be transported or drawn upon a public highway, excepting devices moved by human or animal power or used exclusively upon stationary rails or tracks;

(11) "Watercraft" means any boat, ship, vessel, barge, or other floating craft;

(12) "Public place" means any area that is used or held out for use by the public whether owned or operated by public or private interests.

**NEW SECTION.** Sec. 103. The department shall conduct a study to determine the average cost of collecting and disposing of packaging materials not being recycled at a rate of fifty percent or more. Costs of collecting and disposing of packaging materials requiring special handling, or otherwise incurring extraordinary costs may be evaluated separately. The department shall report the results of its study to the appropriate standing committees of the legislature on or before November 1, 1991.

**NEW SECTION.** Sec. 104. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Container," unless otherwise specified, refers to "rigid plastic container" or "plastic bottle" as those terms are defined in this section.

(2) "Distributors" means those persons engaged in the distribution of packaged goods for sale in the state of Washington, including manufacturers, wholesalers, and retailers.

(3) "Label" means a molded, imprinted, or raised symbol on or near the bottom of a plastic container or bottle.

(4) "Person" means an individual, sole proprietor, partnership, association, or other legal entity.

(5) "Plastic" means a material made of polymeric organic compounds and additives that can be shaped by flow.

(6) "Plastic bottle" means a plastic container intended for single use that has a neck that is smaller than the body of the container, accepts a screw-type, snap cap, or other closure and has a capacity of sixteen fluid ounces or more, but less than five gallons.

(7) "Rigid plastic container" means a formed or molded container, other than a bottle, intended for single use, composed predominantly of plastic resin, and having a relatively inflexible finite shape or form with a capacity of eight ounces or more but less than five gallons.

**NEW SECTION.** Sec. 105. (1) The provisions of this section and any rules adopted under this section shall be interpreted to conform with nation-wide plastics industry standards.

(2) Except as provided in section 106(2) of this act, after January 1, 1992, no person may distribute, sell, or offer for sale in this state a plastic bottle or rigid plastic container unless the container is labeled with a code identifying the appropriate resin type used to

produce the structure of the container. The code shall consist of a number placed within three triangulated arrows and letters placed below the triangle of arrows. The triangulated arrows shall be equilateral, formed by three arrows with the apex of each point of the triangle at the midpoint of each arrow, rounded with a short radius. The pointer (arrowhead) of each arrow shall be at the midpoint of each side of the triangle with a short gap separating the pointer from the base of the adjacent arrow. The triangle, formed by the three arrows curved at their midpoints shall depict a clockwise path around the code number. The numbers and letters used shall be as follows:

- (a) 1. = PETE (polyethylene terephthalate)
- (b) 2. = HDPE (high density polyethylene)
- (c) 3. = V (vinyl)
- (d) 4. = LDPE (low density polyethylene)
- (e) 5. = PP (polypropylene)
- (f) 6. = PS (polystyrene)
- (g) 7. = OTHER

**NEW SECTION.** Sec. 106. (1) A person who, after written notice from the department, violates section 105 of this act is subject to a civil penalty of fifty dollars for each violation up to a maximum of five hundred dollars and may be enjoined from continuing violations. Each distribution constitutes a separate offense.

(2) Distributors shall have two years from the effective date of this section to clear current inventory, delivered or received and held in their possession as of the effective date of this section.

**NEW SECTION.** Sec. 107. The legislature finds and declares that:

(1) The management of solid waste can pose a wide range of hazards to public health and safety and to the environment;

(2) Packaging comprises a significant percentage of the overall solid waste stream;

(3) The presence of heavy metals in packaging is a part of the total concern in light of their likely presence in emissions or ash when packaging is incinerated, or in leachate when packaging is landfilled;

(4) Lead, mercury, cadmium, and hexavalent chromium, on the basis of available scientific and medical evidence, are of particular concern;

(5) It is desirable as a first step in reducing the toxicity of packaging waste to eliminate the addition of these heavy metals to packaging; and

(6) The intent of this chapter is to achieve this reduction in toxicity without impeding or discouraging the expanded use of postconsumer materials in the production of packaging and its components.

**NEW SECTION.** Sec. 108. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Package" means a container providing a means of marketing, protecting, or handling a product and shall include a unit package, an intermediate package, and a shipping container. "Package" also means and includes unsealed receptacles such as carrying cases, crates, cups, pails, rigid foil and other trays, wrappers and wrapping films, bags, and tubs.

(2) "Manufacturer" means a person, firm, or corporation that applies a package to a product for distribution or sale.

(3) "Packaging component" means an individual assembled part of a package such as, but not limited to, any interior or exterior blocking, bracing, cushioning, weatherproofing, exterior strapping, coatings, closures, inks, and labels.

**NEW SECTION.** Sec. 109. (1) By July 1, 1993, no package or packaging component may be offered for sale or for promotional purposes by its manufacturer or distributor in the state of Washington, that includes, in the package itself or in any packaging component, inks, dyes, pigments, adhesives, stabilizers, or any other additives,

containing lead, cadmium, mercury, or hexavalent chromium in excess of the amounts allowed under subsection (3) of this section.

(2) By July 1, 1993, no product may be offered for sale or for promotional purposes by its manufacturer or distributor in the state of Washington in a package that includes, in the package itself or in any of its packaging components, inks, dyes, pigments, adhesives, stabilizers, or any other additives, containing any lead, cadmium, mercury, or hexavalent chromium in excess of the amount allowed under subsection (3) of this section.

(3) The sum of the concentration levels of lead, cadmium, mercury, and hexavalent chromium present in any product, package, or packaging component shall not exceed the following:

(a) 600 parts per million by weight effective two years after the effective date of this section;

(b) 250 parts per million by weight effective three years after the effective date of this section; and

(c) 100 parts per million by weight effective four years after the effective date of this section.

This subsection shall apply to lead, cadmium, mercury, and hexavalent chromium that has been intentionally introduced as an element during manufacturing or distribution as opposed to the incidental presence of any of these elements.

**NEW SECTION.** Sec. 110. All packages and packaging components shall be subject to this chapter except the following:

(1) Those packages or package components with a code indicating date of manufacture that were manufactured prior to the effective date of this section;

(2) Those packages or packaging components that have been purchased by, delivered to, or are possessed by a retailer on or before twenty-four months following the effective date of this section to permit opportunity to clear existing inventory of the proscribed packaging material;

(3) Those packages or packaging components to which lead, cadmium, mercury, or hexavalent chromium have been added in the manufacturing, forming, printing, or distribution process in order to comply with health or safety requirements of federal law or for which there is no feasible alternative; or

(4) Those packages and packaging components that would not exceed the maximum contaminant levels set forth in section 109(3) of this act but for the addition of postconsumer materials; and provided that the exemption for this subsection shall expire six years after the effective date of this section.

**NEW SECTION.** Sec. 111. By July 1, 1993, a certificate of compliance stating that a package or packaging component is in compliance with the requirements of this chapter shall be developed by its manufacturer, provided, however, where compliance is achieved under the exemption or exemptions provided in section 110 (3) or (4) of this act, the certificate shall state the specific basis upon which the exemption is claimed. The certificate of compliance shall be signed by an authorized official of the manufacturing company. The certificate of compliance shall be kept on file by the manufacturer for as long as the package or packaging component is in use, and for three years from the date of the last sale or distribution by the manufacturer. Certificates of compliance, or copies thereof, shall be furnished to the department of ecology upon request within sixty days. If manufacturers are required under any other state statute to provide a certificate of compliance, one certificate may be developed containing all required information.

If the manufacturer or supplier of the package or packaging component reformulates or creates a new package or packaging component, the manufacturer shall develop an amended or new certificate of compliance for the reformulated or new package or packaging component.

NEW SECTION. Sec. 112. Requests from a member of the public for any certificate of compliance shall be:

- (1) Made in writing to the department of ecology;
- (2) Made specific as to package or packaging component information requested; and
- (3) Responded to by the department of ecology within ninety days.

NEW SECTION. Sec. 113. The department of ecology may prohibit the sale of any package for which a manufacturer has failed to respond to a request by the department for a certificate of compliance within the allotted period of time pursuant to section 111 of this act.

NEW SECTION. Sec. 114. By July 1, 1995, the solid waste advisory committee created under chapter 70.95 RCW shall report to the appropriate standing committees of the legislature on the effectiveness of reducing toxic metals from packaging. The report shall contain recommendations to add other toxic substances contained in packaging to the list set forth in this chapter, including but not limited to mutagens, carcinogens, and teratogens, in order to further reduce the toxicity of packaging waste, and shall contain a recommendation regarding imposition of penalty for violation of section 109 of this act, and a recommendation whether or not to continue the recycling exemption as it is provided for in section 110 of this act.

Sec. 115. RCW 70.95C.120 and 1989 c 431 s 54 are each amended to read as follows:

The office of waste reduction shall develop, in consultation with the superintendent of public instruction, an awards program to achieve waste reduction and recycling in the public schools, grades kindergarten through high school. The office shall develop guidelines for program development and implementation. Each public school shall implement a waste reduction and recycling program conforming to guidelines developed by the office.

For the purpose of granting awards, the office may group schools into not more than three classes, based upon student population, distance to markets for recyclable materials, and other criteria, as deemed appropriate by the office. Except as otherwise provided, five or more awards shall be granted to each of the three classes. Each award shall be a sum of not less than two thousand dollars nor more than five thousand dollars. Awards shall be granted each year to the schools that achieve the greatest levels of waste reduction and recycling. ~~((Each))~~ A single award ((shall be of a sum)) of not less than ((ten)) five thousand dollars shall be presented to the school having the best recycling program as determined by the office. A single award of not less than five thousand dollars shall be presented to the school having the best waste reduction program as determined by the office. ~~((The office shall also develop recommendations for an awards program for waste reduction in the public schools. The office shall submit these recommendations to the appropriate standing committees in the house of representatives and senate on or before November 30, 1989.))~~

The superintendent of public instruction shall distribute guidelines and other materials developed by the office to implement programs to reduce and recycle waste generated in administrative offices, classrooms, laboratories, cafeterias, and maintenance operations.

NEW SECTION. Sec. 116. Sections 103 through 114 of this act shall constitute a new chapter in Title 70 RCW.

## "PART II CLEAN WASHINGTON CENTER"

NEW SECTION. Sec. 201. FINDINGS--POLICY. (1) The legislature finds that:

- (a) Recycling conserves energy and landfill space, provides jobs and valuable feedstock materials to industry, and promotes health and environmental protection;
- (b) Most of the citizens of the state actively participate in recycling programs and Washington currently has the highest recycling rate in the nation;

(c) Many local governments and private entities cumulatively affect, and are affected by, the market for recycled commodities but have limited jurisdiction and cannot adequately address the problems of market development that are complex, wide-ranging, and regional in nature; and

(d) The private sector has the greatest capacity for creating and expanding markets for recyclable commodities, and the development of private markets for recycled commodities is in the public interest.

(2) It is therefore the policy of the state to create an entity, within the department of trade and economic development to be known as the "clean Washington center" for the purpose of assisting businesses to develop new and expanded markets for recyclable commodities.

**NEW SECTION.** Sec. 202. **DEFINITIONS.** Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Center" means the clean Washington center.

(2) "End user" means a commercial or industrial entity that manufactures products.

(3) "Work plan" means the annual plan developed by the center.

(4) "Market development" means expanding the use of postconsumer recyclable materials by commercial and industrial entities for the manufacture of new, finished products.

**NEW SECTION.** Sec. 203. The purpose of the center is to provide or facilitate basic and applied research and development, marketing assistance, public education, and policy analysis in furthering the development of markets for recycled products. As used in this chapter, market development consists of public and private activities that are used to overcome impediments preventing full use of secondary materials diverted from the waste stream, and that encourage and expand use of those materials and subsequent products. In fulfilling this mission the center shall primarily direct its services to recycling businesses, which as used in this chapter mean those businesses engaged in transforming or remanufacturing waste materials into usable or marketable materials or products for use other than landfill disposal or incineration.

**NEW SECTION.** Sec. 204. **MEMBERSHIP.** (1) There is established the clean Washington center within the department of trade and economic development to consist of eleven members. Except as otherwise provided, members shall be appointed by the director of the department of trade and economic development as follows:

(a) Two members to represent the legislature, one member appointed by the speaker of the house of representatives and one member appointed by the president of the senate;

(b) Two members to represent local government;

(c) Six private sector members to represent the end users and marketers of postconsumer recovered materials;

(d) The directors of the departments of trade and economic development and ecology shall represent the executive branch as ex officio members.

(2) Members representing the legislature and local government shall serve two-year renewable terms; members representing the private sector shall serve three-year renewable terms. Vacancies shall be filled by the chair with majority consent from the members.

(3) Members, exclusive of those representing the legislative or executive branches, shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(4) The chair shall be selected from among the members by a simple majority vote.

**NEW SECTION.** Sec. 205. **POWERS.** In order to carry out its responsibilities under this chapter, the center may:

(1) Receive such gifts, grants, funds, fees, and endowments, in trust or otherwise, for the use and benefit of the purposes of the center. The center may expend the same or any income therefrom according to the terms of the gifts, grants, or endowments;

(2) Obtain and disseminate information relating to market development for recyclable materials from other state and local agencies;

(3) Enter into, amend, and terminate contracts with individuals, corporations, or research institutions for the purposes of this chapter;

(4) Provide grants to local governments and nonprofit organizations;

(5) Evaluate, analyze, and make recommendations on state policies that may affect markets for recyclable materials; and

(6) Adopt and exercise bylaws for the regulation of its business for the purposes of this chapter.

NEW SECTION. Sec. 206. DUTIES. The center shall:

(1) Develop an annual work plan. The plan shall describe actions and recommendations for developing markets for commodities comprising a significant percentage of the waste stream and having potential for use as an industrial or commercial feedstock. The plan shall specify amounts, types, sources, and end uses of recycled material targeted for remanufacture, and shall show the budgeted expenses associated with each commodity. The initial plan shall, at a minimum, address mixed waste paper, yard and food waste, and plastics. The center shall submit its annual work plan to the legislature by December 1st of each year;

(2) Provide business and marketing assistance, as requested, to private sector entities within the state;

(3) Conduct appropriate public hearings and otherwise seek to broadly disseminate information concerning market development for recyclable materials;

(4) Represent the state in market development issues; and

(5) Initiate, conduct, or contract for studies and searches relating to market development for recyclable materials, including but not limited to applied research, technology transfer, and pilot demonstration projects.

NEW SECTION. Sec. 207. ADVISORY COMMITTEES. The members of the clean Washington center may appoint advisory committees to assist in the development or implementation of the work plan.

NEW SECTION. Sec. 208. CAPTIONS NOT LAW. Section headings as used in this chapter do not constitute any part of the law.

NEW SECTION. Sec. 209. A new section is added to chapter 43.131 RCW to read as follows:

The clean Washington center and its powers and duties shall be terminated on June 30, 1995, as provided in section 210 of this act.

NEW SECTION. Sec. 210. A new section is added to chapter 43.131 RCW to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, 1996:

(1) RCW 70.----- and 1991 c ---, s 201 (section 201 of this act);

(2) RCW 70.----- and 1991 c ---, s 202 (section 202 of this act);

(3) RCW 70.----- and 1991 c ---, s 203 (section 203 of this act);

(4) RCW 70.----- and 1991 c ---, s 204 (section 204 of this act);

(5) RCW 70.----- and 1991 c ---, s 205 (section 205 of this act);

(6) RCW 70.----- and 1991 c ---, s 206 (section 206 of this act);

(7) RCW 70.----- and 1991 c ---, s 207 (section 207 of this act); and

(8) RCW 70.----- and 1991 c ---, s 208 (section 208 of this act).

NEW SECTION. Sec. 211. The following acts or parts of acts are each repealed:

(1) RCW 43.31.545 and 1989 c 431 s 64;

(2) RCW 43.31.552 and 1989 c 431 s 100;

(3) RCW 43.31.554 and 1989 c 431 s 101; and

(4) RCW 43.31.556 and 1990 c 127 s 1 & 1989 c 431 s 102.

NEW SECTION. Sec. 212. Sections 201 through 208 of this act shall constitute a new chapter in Title 70 RCW.

## USED OIL RECYCLING"

**NEW SECTION.** Sec. 301. INTENT. (1) The legislature finds that:

(a) Millions of gallons of used oil are generated each year in this state, and used oil is a valuable petroleum resource that can be recycled;

(b) The improper collection, transportation, recycling, use, or disposal of used oil contributes to the pollution of air, water, and land, and endangers public health and welfare;

(c) The private sector is a vital resource in the collection and recycling of used oil and should be involved in its collection and recycling whenever practicable.

(2) In light of the harmful consequences of improper disposal and use of used oil, and its value as a resource, the legislature declares that the collection, recycling, and reuse of used oil is in the public interest.

(3) The department, when appropriate, should promote the rerefining of used oil in its grants, public education, regulatory, and other programs.

**NEW SECTION.** Sec. 302. DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Rerefining used oil" means the reclaiming of base lube stock from used oil for use again in the production of lube stock. Rerefining used oil does not mean combustion or landfilling.

(2) "Used oil" means: (a) Lubricating fluids that have been removed from an engine crankcase, transmission, gearbox, hydraulic device, or differential of an automobile, bus, truck, vessel, plane, heavy equipment, or machinery powered by an internal combustion engine; (b) any oil that has been refined from crude oil, used, and as a result of use, has been contaminated with physical or chemical impurities; and (c) any oil that has been refined from crude oil and, as a consequence of extended storage, spillage, or contamination, is no longer useful to the original purchaser.

(3) "Public used oil collection site" means a site where a used oil collection tank has been placed for the purpose of collecting household generated used oil. "Public used oil collection site" also means a vehicle designed or operated to collect used oil from the public.

(4) "Lubricating oil" means any oil designed for use in, or maintenance of, a vehicle, including, but not limited to, motor oil, gear oil, and hydraulic oil. "Lubricating oil" does not mean petroleum hydrocarbons with a flash point below one hundred degrees Centigrade.

(5) "Vehicle" includes every device physically capable of being moved upon a public or private highway, road, street, watercourse, or trail, and in, upon, or by which any person or property is or may be transported or drawn upon a public or private highway, road, street, watercourse, or trail, except devices moved by human or animal power.

(6) "Department" means the department of ecology.

(7) "Local government" means a city or county developing a local hazardous waste plan under RCW 70.105.220.

**NEW SECTION.** Sec. 303. PUBLIC USED OIL COLLECTION. (1) Each local government and its local hazardous waste plan under RCW 70.105.220 is required to include a used oil recycling element. This element shall include:

(a) A plan to reach the local goals for household used oil recycling established by the local government and the department under section 304 of this act. The plan shall, to the maximum extent possible, incorporate voluntary agreements with the private sector and state agencies to provide sites for the collection of used oil. Where provided, the plan shall also incorporate residential collection of used oil;

(b) A plan for enforcing the sign and container ordinances required by section 305 of this act;

(c) A plan for public education on used oil recycling; and

(d) An estimate of funding needed to implement the requirements of this chapter. This estimate shall include a budget reserve for disposal of contaminated oil detected at any public used oil collection site administered by the local government.

(2) By July 1, 1993, each local government or combination of contiguous local governments shall submit its used oil recycling element to the department. The department shall approve or disapprove the used oil recycling element by January 1, 1994, or within ninety days of submission, whichever is later. The department shall approve or disapprove the used oil recycling element if it determines that the element is consistent with this chapter and the guidelines developed by the department under section 304 of this act.

(3) Each local government, or combination of contiguous local governments, shall submit an annual statement to the department describing the number of used oil collection sites and the quantity of household used oil recycled for the jurisdiction during the previous calendar year. The first statement shall be due April 1, 1994. Subsequent statements shall be due April 1st of each year.

NEW SECTION. Sec. 304. RECYCLING GOALS. (1) By July 1, 1992, the department shall, in consultation with local governments, prepare guidelines for the used oil recycling elements required by section 303 of this act. The guidelines shall:

(a) Require development of local collection and rerefining goals for household used oil for each entity preparing a used oil recycling element under section 303 of this act;

(b) Require local government to recommend the number of used oil collection sites needed to meet the local goals. The department shall establish criteria regarding minimum levels of used oil collection sites;

(c) Require local government to identify locations suitable as public used oil collection sites as described under section 303(1)(a) of this act.

(2) The department may waive all or part of the specific requirements of section 303 of this act if a local government demonstrates to the satisfaction of the department that the objectives of this chapter have been met.

(3) The department may prepare and implement a used oil recycling plan for any local government failing to complete the used oil recycling element of the plan.

(4) The department shall develop state-wide collection and rerefining goals for household used oil for each calendar year beginning with calendar year 1994. Goals shall be based on the estimated state-wide collection and rerefining rate for calendar year 1993, and shall increase each year until calendar year 1996, when the rate shall be eighty percent.

(5) By July 1, 1993, the department shall prepare guidelines establishing state-wide equipment and operating standards for public used oil collection sites. Standards shall:

(a) Allow the use of used oil collection igloos and other types of portable used oil collection tanks;

(b) Prohibit the disposal of nonhousehold-generated used oil;

(c) Limit the amount of used oil deposited to five gallons per household per day;

(d) Ensure adequate protection against leaks and spills; and

(e) Include other requirements deemed appropriate by the department.

NEW SECTION. Sec. 305. SIGNS AND CONTAINERS. (1) A person annually selling one thousand or more gallons of lubricating oil to ultimate consumers for use or installation off the premises, or five hundred or more vehicle oil filters to ultimate consumers for use or installation off the premises within a city or county having an approved used oil recycling element, shall:

(a) Post and maintain at or near the point of sale, durable and legible signs informing the public of the importance of used oil recycling and how and where used oil may be properly recycled; and

(b) Provide for sale at or near the display location of the lubricating oil or vehicle oil filters, household used oil recycling containers. The department shall design and print

the signs required by this section, and shall make them available to local governments and retail outlets.

(2) A person, who, after notice, violates this section is guilty of a misdemeanor and on conviction is subject to a fine not to exceed one thousand dollars.

(3) The department is responsible for notifying retailers subject to this section.

(4) A city or county may adopt household used oil recycling container standards in order to ensure compatibility with local recycling programs.

(5) Each local government preparing a used oil recycling element of a local hazardous waste plan pursuant to section 303 of this act shall adopt ordinances within its jurisdiction to enforce subsections (1) and (4) of this section.

**NEW SECTION.** Sec. 306. STATE-WIDE EDUCATION. The department shall conduct a public education program to inform the public of the needs for and benefits of collecting and recycling used oil in order to conserve resources and protect the environment. As part of this program, the department shall:

(1) Establish and maintain a state-wide list of public used oil collection sites, and a list of all persons coordinating local government used oil programs;

(2) Establish a state-wide media campaign describing used oil recycling;

(3) Assist local governments in providing public education and awareness programs concerning used oil by providing technical assistance and education materials; and

(4) Encourage the establishment of voluntary used oil collection and recycling programs, including public-private partnerships, and provide technical assistance to persons organizing such programs.

**NEW SECTION.** Sec. 307. DISPOSAL OF USED OIL. (1) Effective January 1, 1992, the use of used oil for dust suppression or weed abatement is prohibited.

(2) Effective July 1, 1992, no person may sell or distribute absorbent based kits, intended for home use, as a means for collecting, recycling, or disposing of used oil.

(3) Effective January 1, 1994, no person may knowingly dispose of used oil except by delivery to a person collecting used oil for recycling, treatment, or disposal, subject to the provisions of this chapter and chapter 70.105 RCW.

(4) Effective January 1, 1994, no owner or operator of a solid waste landfill may knowingly accept used oil for disposal in the landfill.

(5) A person who violates this section is guilty of a misdemeanor.

**NEW SECTION.** Sec. 308. USED OIL TRANSPORTER AND PROCESSOR REQUIREMENTS. (1) By January 1, 1993, the department shall adopt rules requiring any transporter of used oil to comply with minimum notification, invoicing, recordkeeping, and reporting requirements. For the purpose of this section, a transporter means a person engaged in the off-site transportation of used oil in quantities greater than twenty-five gallons per day.

(2) By January 1, 1993, the department shall adopt minimum standards for used oil that is blended into fuels. Standards shall, at a minimum, establish testing and recordkeeping requirements. Unless otherwise exempted, a processor is any person involved in the marketing, blending, mixing, or processing of used oil to produce fuel to be burned for energy recovery.

(3) Any person who knowingly transports used oil without meeting the requirements of this section shall be subject to civil penalties under chapter 70.105 RCW.

**NEW SECTION.** Sec. 309. CAPTIONS NOT LAW. Section headings as used in this chapter do not constitute any part of the law.

**NEW SECTION.** Sec. 310. SHORT TITLE. This chapter shall be known and may be cited as the used oil recycling act.

**NEW SECTION.** Sec. 311. A new section is added to chapter 70.94 RCW to read as follows:

**MARKET DEVELOPMENT--BURNING USED OIL FUEL IN LAND-BASED FACILITIES.** (1) Except as provided in subsection (2) of this section, a person may not

burn used oil as fuel in a land-based facility or in state waters unless the used oil meets the following standards:

- (a) Cadmium: 2 ppm maximum
- (b) Chromium: 10 ppm maximum
- (c) Lead: 100 ppm maximum
- (d) Arsenic: 5 ppm maximum
- (e) Total halogens: 1000 ppm maximum
- (f) Polychlorinated biphenyls: 2 ppm maximum
- (g) Ash: .1 percent maximum
- (h) Sulfur: 1.0 percent maximum
- (i) Flash point: 100 degrees Fahrenheit minimum.

(2) This section shall not apply to: (a) Used oil burned in space heaters if the space heater has a maximum heat output of not greater than 0.5 million btu's per hour or used oil burned in facilities permitted by the department or a local air pollution control authority; or (b) ocean-going vessels.

(3) This section shall not apply to persons in the business of collecting used oil from residences when under authorization by a city, county, or the utilities and transportation commission.

NEW SECTION. Sec. 312. A new section is added to chapter 70.105 RCW to read as follows:

Local governments and combinations of local governments shall amend their local hazardous waste plans required under RCW 70.105.220 to comply with section 303 of this act.

NEW SECTION. Sec. 313. The following acts or parts of acts are each repealed:

- (1) RCW 109.114.010 and 1983 c 137 s 1;
- (2) RCW 19.114.020 and 1983 c 137 s 2;
- (3) RCW 19.114.030 and 1983 c 137 s 3; and
- (4) RCW 19.114.900 and 1983 c 137 s 5.

NEW SECTION. Sec. 314. RCW 19.114.040 is recodified as a section in chapter 70.-- RCW (sections 301 through 310 of this act).

NEW SECTION. Sec. 315. Sections 301 through 310 of this act shall constitute a new chapter in Title 70 RCW.

#### "PART IV MISCELLANEOUS"

NEW SECTION. Sec. 401. Part headings as used in this act do not constitute any part of the law.

Sec. 402. RCW 70.95.040 and 1987 c 115 s 1 are each amended to read as follows:

(1) There is created a solid waste advisory committee to provide consultation to the department of ecology concerning matters covered by this chapter. The committee shall advise on the development of programs and regulations for solid and dangerous waste handling, resource recovery, and recycling, and shall supply recommendations concerning methods by which existing solid and dangerous waste handling, resource recovery, and recycling practices and the laws authorizing them may be supplemented and improved.

(2) The committee shall consist of at least eleven members, including the assistant director for ~~((the division of solid))~~ waste management programs within the department. The director shall appoint ~~((ten))~~ members with due regard to the interests of the public, local government, tribes, agriculture, industry, public health, recycling industries, and the refuse removal and resource recovery industries. ~~((The director shall include among his ten appointees representatives of activities from which dangerous wastes arise and the Washington state patrol's hazardous materials technical advisory committee.))~~ The term of appointment shall be determined by the director. The committee shall elect its own ~~((chairman))~~ chair and meet at least four times a year, in accordance with such rules of procedure as it shall establish. Members shall receive no compensation for their services

but shall be reimbursed their travel expenses while engaged in business of the committee in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

(3) The committee shall each year recommend to the governor a recipient for a "governor's award of excellence" which the governor shall award for outstanding achievement by an industry, company, or individual in the area of hazardous waste or solid waste management.

NEW SECTION. Sec. 403. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by June 30, 1991, in the omnibus appropriations act, this act shall be null and void.

NEW SECTION. Sec. 404. 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. 405. 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 shall take effect immediately.

On page 1, line 1 of the title, after "recycling;" strike the remainder of the title and insert "amending RCW 70.93.020, 70.93.030, 70.95C.120, and 70.95.040; adding new sections to chapter 43.131 RCW; adding a new section to chapter 70.94 RCW; adding a new section to chapter 70.105 RCW; adding new chapters to Title 70 RCW; creating new sections; recodifying RCW 19.114.040; repealing RCW 70.-----, 70.-----, 70.-----, 70.-----, 70.-----, 70.-----, 70.-----, 70.-----, 43.31.545, 43.31.552, 43.31.554, 43.31.556, 19.114.010, 19.114.020, 19.114.030, and 19.114.900; prescribing penalties; and declaring an emergency."

Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; Silver; and Van Luven.

Excused: Representative Silver.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1471 Prime Sponsor, Representative Heavey: Creating the "foundation for families act of 1991." Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Commerce & Labor be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

Strike everything after the enacting clause and insert the following:

"INDEX

Part	Heading	Sections
I.	Legislative Intent . . . . .	101
II.	Leave from Employment for Care	
	of Family Member . . . . .	201-209
III.	Employer-assisted Child Care . . . . .	301-310
A.	Child Care Partnership	

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- IV. Child Labor ..... 401-408
  - A. Hours of Work
  - B. Enforcement of Child Labor Standards
- V. Wages and Hours Standards .. 501-509
  - A. Overtime Hours of Work
  - B. Minimum Wage
  - C. Enforcement of Wage and Hour Standards
- VI. Appropriations ..... 601-603
- VII. Miscellaneous ..... 701-706

"PART I

LEGISLATIVE INTENT"

NEW SECTION. Sec. 101. The legislature finds that in today's economy, workers are finding it increasingly difficult to balance the demands of work and the need to maintain healthy families. For many families, economic survival requires two incomes. If both parents work, the conflicts between job and family often are unavoidable. Parents must find substitute care for children and for adult family members who are unable to care for themselves. Family care is made even more difficult when employees work under conditions that are not flexible or supportive of families. Furthermore, children are working at jobs for long hours, frequently in unsafe work environments, leaving little energy for school work. These problems are exacerbated when the state minimum wage fails to keep families above poverty level.

The legislature further finds that providing better opportunities for families to balance work and the responsibilities of home is good business for the economy. It has been shown that family supportive benefits and wages result in higher productivity, reduced absenteeism, and job retention. Because labor force projections indicate a shrinking labor pool, it is necessary to fashion new policies to maintain and enhance the state's current work force. Healthy families are the foundation of a sound economy. It is imperative that a new partnership be formed between business and families to maintain a productive work force and ensure a competitive future for the state of Washington.

"PART II

LEAVE FROM EMPLOYMENT FOR CARE OF FAMILY MEMBERS"

Sec. 201. RCW 49.78.020 and 1989 1st ex.s. c 11 s 2 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Child" means a biological ~~((or))~~, adopted, or foster child, a legal ward, or a stepchild~~((, living with the employee))~~.

(2) "Department" means the department of labor and industries.

(3) "Employee" means a person other than an independent contractor employed by an employer ~~((on a continuous basis for the previous))~~ for at least fifty-two weeks within the previous seventy-eight weeks and for at least ~~((thirty-five))~~ an average of thirty-two hours per week.

(4) "Employer" means: (a) Any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and includes any unit of local government including, but not limited to, a county, city, town, municipal corporation, quasi-municipal corporation, or political subdivision, which (i) employed a daily average of ~~((one hundred))~~ fifty or more employees during the last calendar quarter at the place where the employee requesting leave reports for work, or (ii) employed a daily average of ~~((one hundred))~~ fifty or more employees during the last calendar quarter within a twenty mile radius of the place where the employee requesting leave reports for work, where the

employer maintains a central hiring location and customarily transfers employees among workplaces; and (b) the state, state institutions, and state agencies.

(5) "Family leave" means leave from employment, as provided in RCW 49.78.030, to care for a newborn ((or)), a newly adopted child ((under the age of six or a child under eighteen years old with a terminal health condition, as provided in RCW 49.78.030)), or a newly placed foster child, or to care for a family member with a serious health condition.

(6) "Family member" means a child of the employee, the spouse of the employee, or a parent of the employee or the employee's spouse.

(7) "Health care provider" means a person licensed as a physician under chapter 18.71 ~~((RCW or an osteopath under chapter))~~ or 18.57 RCW.

~~((7))~~ (8) "Parent" means a biological, foster, or adoptive parent, ~~((or))~~ a stepparent, or legal guardian.

~~((8))~~ (9) "Reduced leave schedule" means leave scheduled for fewer than an employee's usual number of hours or days per workweek.

~~((9))~~ "Terminal health condition" means a condition caused by injury, disease, or illness, that, within reasonable medical judgment, is incurable and will produce death within the period of leave to which the employee is entitled.)

(10) "Serious health condition" means an illness, injury, impairment, or physical or mental condition, whether or not preexisting, that requires:

(a) Inpatient care in a hospital, hospice, or residential medical care facility; or

(b) Continuing treatment or continuing supervision by a health care provider.

Sec. 202. RCW 49.78.030 and 1989 1st ex.s. c 11 s 3 are each amended to read as follows:

(1) An employee is entitled to twelve workweeks of family leave during any twenty-four month period to: (a) Care for a newborn child ~~((or))~~ of the employee, an adopted child of the employee who is under the age of ~~((six))~~ sixteen at the time of placement for adoption~~((;))~~ or~~((;))~~ a foster child when placement with the employee is the permanent plan and the foster child is under the age of sixteen at the time of placement; or (b) care for ~~((a child under eighteen years old of the employee who has a terminal))~~ a family member with a serious health condition. Leave under subsection (1)(a) of this section shall be completed within twelve months after the birth or placement for adoption or foster care, as applicable. ~~((An employee is entitled to leave under subsection (1)(b) of this section only once for any given child))~~ For the leave under subsection (1)(b) of this section to apply for the care of the employee's child, the child must be under the age of eighteen, or be eighteen years of age or older and incapable of self-care because of a mental or physical impairment.

(2) Family leave may be taken on a reduced leave schedule subject to the approval of the employer.

(3) The leave required by this section may be unpaid. If an employer provides paid family leave for fewer than twelve workweeks, the additional workweeks of leave added to attain the twelve-workweek total may be unpaid. An employer may require an employee to first use up the employee's total accumulation of leave to which the employee is otherwise entitled before going on family leave; however, except as provided in subsection (4) of this section, nothing in this section requires more than twelve total workweeks of family leave during any twenty-four month period. An employer is not required to allow an employee to use the employee's other leave in place of the leave provided under this chapter.

(4) The leave required by this section is in addition to any leave for sickness or temporary disability because of pregnancy or childbirth.

(5) An employer may limit or deny family leave to either:

(a) Up to ten percent of the employer's ~~((workforce))~~ work force in the state designated as key personnel by the employer. Any designation made under this

~~((section))~~ subsection shall take effect thirty days after it is issued and may be changed no more than once in any twelve-month period. The designation shall be in writing and shall be displayed in a conspicuous place. An employer shall not designate key personnel on the basis of age or gender or for the purpose of evading the requirements of this chapter. No employee may be designated as key personnel after giving notice of intent to take leave pursuant to RCW 49.78.040(~~(. The designation shall be in writing and shall be displayed in a conspicuous place))~~); or

(b) If the employer does not designate key personnel, the employees designated as the highest paid ten percent of the employer's employees in the state. Any designation made under this subsection shall be in writing and may be changed no more than once in any twelve-month period. The designation shall take effect thirty days after the affected employees have been given written notice.

Sec. 203. RCW 49.78.040 and 1989 1st ex.s. c 11 s 4 are each amended to read as follows:

(1) An employee planning to take family leave under RCW 49.78.030(1)(a) shall provide the employer with written notice at least thirty days in advance of the anticipated date of delivery or placement for adoption or foster care, stating the dates during which the employee intends to take family leave. The employee shall adhere to the dates stated in the notice unless:

(a) The birth is premature;

(b) The mother is incapacitated due to birth such that she is unable to care for the child;

(c) The employee takes physical custody of the newly adopted child at an unanticipated time and is unable to give notice thirty days in advance; ~~((ø))~~

(d) The employee takes physical custody of the newly placed foster child at an unanticipated time and is unable to give notice thirty days in advance; or

(e) The employer and employee agree to alter the dates of family leave stated in the notice.

(2) In cases of premature birth, incapacity, or unanticipated placement for adoption or foster care referred to in subsection (1) of this section, the employee must give notice of revised dates of family leave as soon as possible but at least within one working day of the birth or placement (~~for adoption~~) or incapacitation of the mother.

(3) If family leave under RCW 49.78.030(1)(b) is foreseeable, the employee shall provide the employer with written notice at least fourteen days in advance of the expected leave and shall make a reasonable effort to schedule the leave so as not to unduly disrupt the operations of the employer. If family leave under RCW 49.78.030(1)(b) is not foreseeable fourteen or more days before the leave is to take place, the employee shall notify the employer of the expected leave as soon as possible, but at least within one working day of the beginning of the leave.

(4) If the employee fails to give the notice required by this section, the employer may reduce or increase the family leave required by this chapter by three weeks.

Sec. 204. RCW 49.78.050 and 1989 1st ex.s. c 11 s 5 are each amended to read as follows:

(1) In the event of any dispute under this chapter regarding premature birth, incapacitation of the mother, maternity disability, or ~~((terminal condition of a child))~~ serious health condition of a family member, an employer may require confirmation by a health care provider of: (a) The date of the birth; (b) the date on which incapacity because of childbirth or disability because of pregnancy or childbirth commenced or will probably commence, and its probable duration; or (c) for family leave under RCW 49.78.030(1)(b), the fact that the ~~((child has a terminal))~~ family member has a serious health condition.

(2) An employer may require, at the employer's expense, that the employee obtain the opinion of a second health care provider selected by the employer concerning any

information required under subsection (1) of this section. If the health care providers disagree on any factor which is determinative of the employee's eligibility for family leave, the two health care providers shall select a third health care provider, whose opinion, obtained at the employer's expense, shall be conclusive.

Sec. 205. RCW 49.78.070 and 1989 1st ex.s. c 11 s 7 are each amended to read as follows:

(1) Subject to subsection (2) of this section, an employee who exercises any right provided under RCW 49.78.030 shall be entitled, in the following order of priority, upon return from leave or during any reduced leave schedule:

(a) To the same position held by the employee when the leave commenced; or

(b) If the employer's circumstances have so changed that the employee cannot be reinstated under (a) of this subsection, to a position with equivalent benefits and pay at a workplace within twenty miles of the employee's workplace when leave commenced; or

(c) If the employer's circumstances have so changed that the employee cannot be reinstated (~~(to the same position, or a position of equivalent pay and benefits)~~) under either (a) or (b) of this subsection, the employee shall be reinstated in any other position which is vacant and for which the employee is qualified. The filling of a position held by an employee on family leave under this chapter shall not by itself constitute changed circumstances.

(2) The entitlement under subsection (1) of this section is subject to bona fide changes in compensation or work duties, and does not apply if:

(a) The employee's position is eliminated by a bona fide restructuring, or reduction-in-force;

(b) The employee's workplace is permanently or temporarily shut down for at least thirty days;

(c) The employee's workplace is moved to a location at least sixty miles from the location of the workplace when leave commenced;

(d) An employee on family leave takes ~~((another job))~~ a job with another employer working twenty hours or more per week; or

(e) The employee fails to provide timely notice of family leave as required under RCW 49.78.040, or fails to return on the established ending date of leave.

Sec. 206. RCW 49.78.130 and 1989 1st ex.s. c 11 s 13 are each amended to read as follows:

No employer, employment agency, labor union, or other person shall discharge, expel, or otherwise discriminate against any person because he or she has opposed any practices forbidden by this chapter, or because he or she has filed a complaint, testified, or assisted in any proceeding under this chapter, or has exercised any rights afforded by this chapter. No employer policy may be applied to limit or discourage the use of the leave rights available under this chapter.

NEW SECTION. Sec. 207. A new section is added to chapter 49.12 RCW to read as follows:

No employer may discharge or in any manner discriminate against any employee because he or she has filed a complaint, testified, or assisted in any proceeding under RCW 49.12.270 through 49.12.295, or has exercised any rights afforded by RCW 49.12.270 through 49.12.295. No employer policy may be applied to limit or discourage the use of the leave rights available under RCW 49.12.270 through 49.12.295.

NEW SECTION. Sec. 208. The following acts or parts of acts are each repealed:

(1) RCW 49.78.060 and 1989 1st ex.s. c 11 s 6; and

(2) RCW 49.78.210 and 1989 1st ex.s. c 11 s 21.

NEW SECTION. Sec. 209. A new section is added to chapter 49.78 RCW to read as follows:

To facilitate the orderly application of chapter ... (H-1144/91), Laws of 1991, to employees covered by an unexpired collective bargaining agreement that expires on or after September 1, 1991, or by an employee benefit program or plan with a stated year ending on or after the effective date of this section, the chapter shall apply to these employees the later of: (1) The first day following expiration of the collective bargaining agreement; or (2) the first day of the next plan year, as applicable.

### "PART III

#### EMPLOYER-ASSISTED CHILD CARE

##### A. Child Care Partnership"

**NEW SECTION.** Sec. 301. The legislature finds that efforts by Washington state to encourage employers' involvement in meeting their employees' child care needs represent an effective and successful public-private partnership. It is the intent of the legislature to build upon the successful efforts of the child care partnership and the child care facility fund and to increase the effectiveness of these programs.

Sec. 302. RCW 74.13.0902 and 1989 c 381 s 6 are each amended to read as follows:

An employer liaison position is established in the department of social and health services to be co-located at the business assistance center established under RCW 43.31.083. The employer liaison shall, within appropriated funds:

(1) Staff and assist the child care partnership in the implementation of its duties under RCW 74.13.0901;

(2) Provide technical assistance to employers regarding child care services, working with and through ~~((local))~~ community-based child care resource and referral organizations whenever possible. Such technical assistance shall include at a minimum:

(a) Assessing the child care needs of employees and prospective employees;

(b) Reviewing options available to employers interested in increasing access to child care for their employees;

(c) Developing techniques to permit small businesses to increase access to child care for their employees;

(d) Reviewing methods of evaluating the impact of child care activities on employers; and

(e) Preparing, collecting, and distributing current information for employers on options for increasing involvement in child care; and

(3) Provide assistance to ~~((local))~~ community-based child care resource and referral organizations to increase their capacity to provide quality technical assistance to employers in their community.

Sec. 303. RCW 43.31.512 and 1989 c 430 s 7 are each amended to read as follows:

The child care facility fund committee shall award loan guarantees, loans or grants to those persons, businesses, or organizations meeting the minimum standards set forth in this chapter who will best serve the intent of the chapter to increase the availability of high quality, affordable child care in Washington state. Employee organizations may also submit applications for loan guarantees, loans, or grants: PROVIDED, That such applications are submitted jointly by the businesses or employers whose employees will be served by the child care facility that is the subject of the application. The committee shall ~~((promulgate))~~ adopt rules regarding the application for and disbursement of loan guarantees, loans, or grants from the fund, including loan terms and repayment procedures.

(1) At a minimum, such rules shall require an applicant to submit a plan which includes a detailed description of:

~~((1))~~ (a) The need for a new or improved child care facility in the area served by the applicant;

~~((2))~~ (b) The steps the applicant will take to serve a reasonable number of handicapped children, as ~~((defined))~~ described in chapter 72.40 RCW, sick children,

infants, children requiring night time or weekend care, or children whose costs of care are subsidized by government;

((3)) (c) Why financial assistance from the state is needed to start or improve the child care facility;

((4)) (d) How the guaranteed loan, loan, or grant will be used, and how such uses will meet the described need;

((5)) (e) The child care services to be available at the facility and the capacity of the applicant to provide those services; and

((6)) (f) The financial status of the applicant, including other resources available to the applicant which will ensure the continued viability of the facility and the availability of its described services.

(2) Each employer applying for a loan guarantee, loan, or grant shall conduct, either directly or by contract, an assessment of its employees' child care needs. In determining whether to award a loan guarantee, loan, or grant to an employer applicant, the committee shall consider the extent to which the application reflects the results of the employer's child care needs assessment.

(3) Recipients shall annually for two years following the receipt of the loan guarantee, loan, or grant, submit to the child care facility fund committee a report on the facility and how it is meeting the child care needs for which it was intended.

#### "B. Child Care Resource and Referral"

NEW SECTION. Sec. 304. The legislature recognizes that an integrated child care services system is needed to ensure that planning and coordination of child care services occurs and that linkages between employers, consumers, and child care providers are established. The legislature finds that establishment of the office of the child care resources coordinator, the child care coordinating committee, and the child care partnership are first steps toward achieving an integrated child care system. Additional steps, including the support of existing community-based child care resource and referral programs, and the development of new child care resource and referral programs, must be taken to help parents obtain appropriate child care for their children, increase the supply of child care services and coordination with employers, and improve the quality of child care services through training and support of child care providers.

The legislature intends that child care resource and referral services be provided in collaboration with local communities, employers, consumers, and state and federal agencies.

NEW SECTION. Sec. 305. A new section is added to chapter 74.13 RCW to read as follows:

(1) Persons or organizations may apply for funding to establish or operate a community-based child care resource and referral program through the office of the child care resources coordinator. In evaluating applications for funding, the coordinator shall consider the applicant's ability to offer, or make progress towards offering, the activities provided in subsection (2) of this section. The coordinator shall also consider the number of children under age twelve in the geographic area that will be served by the program when determining the level of funding for the program.

(2) Community-based child care resource and referral programs shall develop a service plan that includes the following components:

(a) Provide parents with information regarding child care, including but not limited to the location of child care services, information regarding child care licensing requirements, how to choose quality child care services, and the availability of funds to subsidize child care costs;

(b) Participate with other community agencies or organizations in the provision of parent support services, such as parent education classes and information on community services available to families;

(c) Provide support to child care providers, such as: Information regarding training opportunities, development of appropriate training as needed, resource libraries, toy lending libraries, meeting space, information regarding the operation of child care as a small business, and liaison with department child care licensors;

(d) Recruit licensed child care providers, emphasizing geographic or program areas that have an inadequate supply of child care services;

(e) In cooperation with the child care partnership established under this chapter, provide technical assistance to employers regarding employee child care benefits;

(f) Directly or through a coalition of child care resource and referral programs, and in collaboration with the office of the child care resources coordinator where appropriate, provide information to local and state policy makers regarding child care supply and demand, and advocate for increased public and private sector resources for child care services; and

(g) Coordinate a local response to the demand for quality child care services, and participate in coordinated efforts for delivery of services to families.

(3)(a) At least twenty-five percent of the funding for community-based child care resource and referral agencies under this section shall be community matching funds provided by private or public entities in the community served by the program requesting funding. Contributions of materials, supplies, or physical facilities may be considered as all or part of the matching funds provided.

(b) Community-based child care resource and referral agencies under this section may establish reasonable fees for services provided on an ability-to-pay basis.

Sec. 306. RCW 74.13.0903 and 1989 c 381 s 5 are each amended to read as follows:

The office of the child care resources coordinator is established to operate under the authority of the department of social and health services. The office shall, within appropriated funds:

(1) Staff and assist the child care coordinating committee in the implementation of its duties under RCW 74.13.090;

(2) Work with local governments, nonprofit organizations, businesses, and community child care advocates to create local child care resource and referral organizations(~~—These organizations may carry out needs assessments, resource development, provider training, technical assistance, and parent information and training~~);

(3) Actively seek public and private money for distribution as grants to potential or existing (~~local~~) community-based child care resource and referral (~~organizations. No grant shall be distributed that is greater than twenty five thousand dollars~~) programs as provided in section 305 of this act;

(4) (~~Adopt rules regarding the application for and distribution of grants to local child care resource and referral organizations. The rules shall, at a minimum, require an applicant to submit a plan for achieving the following objectives:~~

(a) ~~Provide parents with information about child care resources, including location of services and subsidies;~~

(b) ~~Carry out child care provider recruitment and training programs;~~

(c) ~~Offer support services, such as parent and provider seminars, toy lending libraries, and substitute banks;~~

(d) ~~Provide information for businesses regarding child care supply and demand;~~

(e) ~~Advocate for increased public and private sector resources devoted to child care;~~  
and

(f) ~~Provide technical assistance to employers regarding employee child care services;~~

(5) Provide staff support and technical assistance to (~~local~~) community-based child care resource and referral organizations and coalitions thereof;

(~~6~~) ~~Organize the local child care resource and referral organizations into a state wide system;~~

~~((7))~~ (5) As a component of licensing, maintain a ~~((state-wide child care referral))~~ data bank ~~((and work with department of social and health services licensors))~~ of licensed providers to provide information, including periodic updates of providers' license status, to ~~((local))~~ community-based child care resource and referral organizations about licensed child care providers in the state;

~~((8))~~ (6) Through local resource and referral organizations, compile data about local child care needs and availability for future planning and development;

~~((9))~~ (7) Coordinate the provision of training and technical assistance to child care providers; and

~~((10))~~ (8) Collect and assemble information regarding the availability of insurance and of federal and other child care funding to assist state and local agencies, businesses, and other child care providers in offering child care services.

**NEW SECTION.** Sec. 307. A state employee child care liaison position is established in the department of personnel to be co-located in the department of social and health services. The state employee child care liaison shall:

(1) Provide information and technical assistance to state agencies in meeting the child care needs of their employees; and

(2) Develop a comprehensive plan for state support of its employees' child care needs. The plan shall incorporate the results of the child care needs assessment conducted by the department of personnel as provided in RCW 41.04.380, and recommendations of any existing or newly established interagency efforts addressing state employee child care issues. The plan shall be reported to the governor, the child care coordinating committee established pursuant to RCW 74.13.090, and appropriate committees of the legislature on or before September 1, 1992.

Sec. 308. RCW 41.04.385 and 1986 c 135 s 1 are each amended to read as follows:

(1) The legislature finds that ~~((1))~~ (a) demographic, economic, and social trends underlie a critical and increasing demand for child day care in the state of Washington; ~~((2))~~ (b) working parents and their children benefit when the employees' child care needs have been resolved; and ~~((3))~~ (c) the state of Washington should serve as a model employer by creating a supportive atmosphere, to the extent feasible, in which its employees may meet their child day care needs. The legislature finds further that resolving employee child day care concerns not only benefits the employees and their children, but may benefit the employer by reducing absenteeism, increasing employee productivity, improving morale, and enhancing the employer's position in recruiting and retaining employees. Therefore, the legislature declares that it is the policy of the state of Washington to assist state employees by creating a supportive atmosphere in which they may meet their child day care needs.

(2) Support for state employees' child care needs may include, but is not limited to:

(a) Operation of on-site child care centers for children of state employees;

(b) Contracts with existing licensed child care providers to care for children of state employees;

(c) Provision of grants for capital expansion or establishment of licensed child care facilities, conditioned upon a commitment by the provider to care for a negotiated number of children of state employees; and

(d) Contracts for child care resource and referral services.

#### "PART IV

#### CHILD LABOR

##### A. Hours of Work"

Sec. 401. RCW 49.12.121 and 1989 c 1 s 3 are each amended to read as follows:

~~((The committee, or the director,))~~ (1) The department may at any time inquire into wages, hours, and conditions of labor of minors employed in any trade, business or occupation in the state of Washington and may adopt special rules for the protection of

the safety, health and welfare of minor employees. (~~The minimum wage for minors shall be as prescribed in RCW 49.46.020.~~)

(2) The (~~committee~~) department shall issue work permits to employers for the employment of minors (~~, after being assured~~) if the proposed employment (~~of a minor~~) meets the standards (~~set forth concerning~~) for the health, safety and welfare of minors (~~as set forth in the rules and regulations promulgated by the committee~~) required by this chapter or adopted by department rule. To implement state policy to assure the attendance of children in the public schools, an employer employing a minor shall obtain a work permit issued by the department. The permit shall be kept on file during the employment of minors. No minor person shall be employed in any occupation, trade or industry subject to this 1973 amendatory act, unless a work permit has been properly issued, with the consent of the parent, guardian or other person having legal custody of the minor and with the approval of the school which (~~such~~) the minor may then be attending.

(3)(a) Minors legally required to attend school may not be employed during school hours except by special permission of school officials as provided in RCW 28A.225.010 and 28A.225.080.

(b) Minors under the age of sixteen may not work more than three hours a day on school days or more than eighteen hours a week during the school year.

(c) Minors who are sixteen and seventeen years of age may not work more than four hours a day on school days or more than twenty-eight hours a week during the school year.

(d) No minor may work more than eight hours a day or more than forty hours a week. No minor may work more than five days in a week.

(e) This subsection (3) shall not apply to minors sixteen years of age or older who are emancipated by court order.

(4) The minimum wage for minors shall be as prescribed in RCW 49.46.020.

(5) For the purposes of this section, "school year" means the weeks during which school is in session in the school district attended by the minor or, if the minor is not enrolled in school, in the school district in which the minor resides.

NEW SECTION: Sec. 402. RCW 49.12.123 and 1983 c 3 s 156 & 1973 c 51 s 3 are each repealed.

#### "B. Enforcement of Child Labor Standards"

NEW SECTION. Sec. 403. The legislature finds that the future of the state depends on the education and well-being of the state's children. Investigations of three hundred ninety-five workplace injuries to minors by the department of labor and industries indicates that over forty percent of the injuries occurred at worksites not in compliance with child labor laws. Almost half of the injuries that resulted in time off work occurred at a worksite not in compliance with child labor laws.

The legislature finds that employment of minors requires strict adherence to standards that protect the safety and health of children and ensure that their education receives top priority. The purposes of this act are to protect children in the work force and provide the department of labor and industries the enforcement resources necessary to assure that minors are employed in accordance with the state's child labor standards.

NEW SECTION. Sec. 404. (1)(a) Except as otherwise provided in subsection (2) of this section, if the director, or the director's designee, finds that an employer has violated any of the requirements of RCW 49.12.121, or a rule or order adopted or variance granted under RCW 49.12.121, a citation stating the violations shall be issued to the employer. The citation shall be in writing, describing the nature of the violation including reference to the standards, rules, or orders alleged to have been violated. An initial citation for failure to comply with RCW 49.12.121 or rules requiring a minor work permit and maintenance of records shall state a specific time for abatement of the violation to allow the employer to correct the violation without penalty. The director or

the director's designee may establish a specific time for abatement of other nonserious violations in lieu of a penalty for first time violations. The citation and a proposed penalty assessment shall be given to the highest management official available at the workplace or be mailed to the employer at the workplace. In addition, the department will mail a copy of the citation and proposed penalty assessment to the central personnel office of the employer. Citations issued under this section shall be posted at or near the place where the violation occurred.

(b) Except when an employer corrects a violation as provided in (a) of this subsection, he or she shall be assessed a civil penalty of not more than one thousand dollars depending on the size of the business and the gravity of the violation. The employer shall pay the amount assessed within thirty days of receipt of the assessment or notify the director of his or her intent to appeal the citation or the assessment penalty as provided in section 405 of this act.

(2) If the director, or the director's designee, finds that an employer has committed a serious or repeated violation of the requirements of RCW 49.12.121, or any rule or order adopted or variance granted under RCW 49.12.121, the employer is subject to a civil penalty of not more than one thousand dollars for each day the violation continues. For the purposes of this subsection, a serious violation shall be deemed to exist if death or serious physical or emotional harm has resulted or could result from a condition that exists, or from one or more practices, means, methods, operations, or processes that have been adopted or are in use by the employer, unless the employer did not, and could not with the exercise of reasonable diligence, know of the presence of the violation.

(3) In addition to any other authority provided in this section, if, upon inspection or investigation, the director, or director's designee, believes that an employer has violated RCW 49.12.121, or a rule or order adopted or variance granted under RCW 49.12.121, and that the violation creates a danger from which there is a substantial probability that death or serious physical harm could result to a minor employee, the director, or director's designee, may issue an order immediately restraining the condition, practice, method, process, or means creating the danger in the workplace. An order issued under this subsection may require the employer to take steps necessary to avoid, correct, or remove the danger and to prohibit the employment or presence of a minor in locations or under conditions where the danger exists.

(4) An employer who violates any of the posting requirements of RCW 49.12.121 or rules adopted implementing RCW 49.12.121 shall be assessed a civil penalty of not more than one hundred dollars for each violation.

(5) A person who gives advance notice, without the authority of the director, of an inspection to be conducted under this chapter shall be assessed a civil penalty of not more than one thousand dollars.

(6) Penalties assessed under this section shall be paid to the director and deposited into the general fund.

**NEW SECTION.** Sec. 405. A person, firm, or corporation aggrieved by an action taken or decision made by the department under section 404 of this act may appeal the action or decision to the director by filing notice of the appeal with the director within thirty days of the department's action or decision. A notice of appeal filed under this section shall stay the effectiveness of a citation or notice of the assessment of a penalty pending review of the appeal by the director, but such appeal shall not stay the effectiveness of an order of immediate restraint issued under section 404 of this act. Upon receipt of an appeal, a hearing shall be held in accordance with chapter 34.05 RCW. The director shall issue all final orders after the hearing. The final orders are subject to appeal in accordance with chapter 34.05 RCW. Orders not appealed within the time period specified in chapter 34.05 RCW are final and binding.

**NEW SECTION.** Sec. 406. An employer who knowingly or recklessly violates the requirements of RCW 49.12.121, or a rule or order adopted under RCW 49.12.121, is

guilty of a gross misdemeanor. An employer whose practices in violation of the requirements of RCW 49.12.121, or a rule or order adopted under RCW 49.12.121, result in the death or permanent disability of a minor employee is guilty of a class C felony.

Sec. 407. RCW 49.12.170 and 1973 2nd ex.s. c 16 s 16 are each amended to read as follows:

Except as otherwise provided in section 404 or 406 of this act, any employer employing any person for whom a minimum wage or standards, conditions, and hours of labor have been specified, at less than said minimum wage, or under standards, or conditions of labor or at hours of labor prohibited by the rules and regulations of the committee; or violating any other of the provisions of this 1973 amendatory act, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not less than twenty-five dollars nor more than one thousand dollars.

NEW SECTION. Sec. 408. The penalties established in sections 404 and 406 of this act for violations of RCW 49.12.121 are exclusive remedies.

#### "PART V

### WAGES AND HOURS STANDARDS

#### A. Overtime Hours of Work"

Sec. 501. RCW 49.46.130 and 1989 c 104 s 1 are each amended to read as follows:

(1) ~~(No employer shall employ any of his employees for a work week longer than forty hours unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed, except that the provisions of this subsection (1) shall)~~ No employer shall employ any employee more than forty hours in any work week unless the employee receives compensation for his or her employment at a rate of pay not less than one and one-half times the employee's regular rate of pay for all hours worked over forty hours in the work week.

(2) This section does not apply to:

(a) Any person exempted pursuant to RCW 49.46.010(5) ~~((as now or hereafter amended and the provision of this subsection shall not apply to));~~

(b) Employees who request compensating time off in lieu of overtime pay ~~((nor to));~~

(c) Any individual employed as a seaman whether or not the seaman is employed on a vessel other than an American vessel ~~((nor to));~~

(d) Seasonal employees who are employed at concessions and recreational establishments at agricultural fairs, including those seasonal employees employed by agricultural fairs, within the state provided that the period of employment for any seasonal employee at any or all agricultural fairs does not exceed fourteen working days a year ~~((nor to));~~

(e) Any individual employed as a motion picture projectionist if that employee is covered by a contract or collective bargaining agreement which regulates hours of work and overtime pay ~~((nor to));~~

(f) An individual employed as a truck or bus driver who is subject to the provisions of the Federal Motor Carrier Act (49 U.S.C. Sec. 3101 et seq. and 49 U.S.C. Sec. 10101 et seq.), if the compensation system under which the truck or bus driver is paid includes overtime pay, reasonably equivalent to that required by this subsection, for working longer than forty hours per week ~~((nor to));~~

(2) ~~No public agency shall be deemed to have violated subsection (1) of this section with respect to the employment of any employee in fire protection activities or any employee in law enforcement activities (including security personnel in correctional institutions) if: (a) In a work period of twenty-eight consecutive days the employee receives for tours of duty which in the aggregate exceed two hundred and forty hours; or (b) in the case of such an employee to whom a work period of at least seven but less than twenty-eight days applies, in his work period the employee receives for tours of duty which in the aggregate exceed a number of hours which bears the same ratio to the~~

~~number of consecutive days in his work period as two hundred forty hours bears to twenty eight days; compensation at a rate not less than one and one half times the regular rate at which he is employed. PROVIDED, That this section shall not apply to);~~

~~(g) Any individual employed (i) on a farm, in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wildlife, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment; or (ii) ((in packing, packaging, grading, storing or delivering to storage, or to market or to a carrier for transportation to market, any agricultural or horticultural commodity; or (iii) commercial canning, commercial freezing, or any other commercial processing, or)) with respect to services performed in connection with the cultivation, raising, harvesting, and processing of oysters ((or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption. PROVIDED FURTHER, That in)); or~~

~~(h) Any industry in which federal law provides for an overtime payment based on a work week other than forty hours ((then provisions of this section shall not apply));. However, the provisions of the federal law regarding overtime payment based on a work week other than forty hours shall nevertheless apply to employees covered by this section without regard to the existence of actual federal jurisdiction over the industrial activity of the particular employer within this state((- PROVIDED FURTHER, That)). For the purposes of this subsection, "industry" ((as that term is used in this section shall mean)) means a trade, business, industry, or other activity, or branch, or group thereof, in which individuals are gainfully employed (section 3(h) of the Fair Labor Standards Act of 1938, as amended (Public Law 93-259).~~

(3) No public agency shall be deemed to have violated subsection (1) of this section with respect to the employment of any employee in fire protection activities or any employee in law enforcement activities, including security personnel in correctional institutions, if the employee receives compensation at a rate not less than one and one-half times the regular rate at which he or she is employed for tours of duty that: ~~§~~ In the aggregate, in a work period of twenty-eight consecutive days, exceed two hundred twelve hours in the case of employees in fire protection activities and one hundred seventy-one hours in the case of employees in law enforcement activities; or

(b) In the case of an employee to whom a work period of at least seven but less than twenty-eight days applies, in the aggregate exceed a number of hours which bears the same ratio to the number of consecutive days in his or her work period: (i) For an employee in fire protection activity, as two hundred twelve hours bears to twenty-eight days, or (ii) for an employee in law enforcement activities, as one hundred seventy-one hours bears to twenty-eight days.

NEW SECTION. Sec. 502. (1) Except as otherwise provided in this section, no employer may require an employee to work: (a) More than eight hours in any work day; or (b) more than forty hours in any work week. However, this section does not prohibit an employee from voluntarily agreeing to work more than eight hours in any work day or more than forty hours in any work week, subject to the requirements of RCW 49.46.130.

(2) Notwithstanding subsection (1) of this section, an employee may be required to work up to ten hours in a work day if the employer's work week is based on four ten-hour days in a work week. An employee is not prohibited from voluntarily agreeing to work more than ten hours in a work day, subject to the requirements of RCW 49.46.130.

(3)(a) An employer may petition the department for a variance from the requirements of subsection (1) of this section if at least eighty percent of the employer's employees in the affected work unit or, if the employees are represented by an exclusive

bargaining representative, in the affected bargaining unit vote by secret ballot to approve a written proposal for regularly scheduled hours of work of more than eight hours in a work day or of more than forty hours in a work week. The agreement shall not permit the employer to require any employee to work more than twelve hours in a work day or more than an average of forty-two hours per work week in four consecutive work weeks.

(b) The department shall adopt rules providing for the election procedures and documentation required to apply for a variance under this subsection. The rules shall include provisions that require employee approval of the variance no less than annually, and that make supervisors ineligible to vote. For the purposes of this subsection (b), "supervisor" means any employee having authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or responsibly to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

(c) Nothing in this subsection limits the application of RCW 49.46.130 to the employees covered by a variance under this subsection.

(4) This section does not apply to:

(a) An employer who employs fewer than twenty-five individuals;

(b) An individual exempt under RCW 49.46.010(5) or 49.46.130(2), except for RCW 49.46.130(2)(f);

(c) An individual employed in fire protection or law enforcement activities; or

(d) Work performed in emergency situations that endanger public health and safety, including, but not limited to, fires, natural disasters, civil disorders, utility interruptions, emergency medical services regulated under chapter 18.73 RCW, services required by the armed forces of the United States, or other situations determined by the department to be emergencies endangering public health and safety.

No exemption under this section shall be deemed to provide an exemption under RCW 49.46.130.

**NEW SECTION.** Sec. 503. (1) No employer may discharge or in any manner discriminate against an employee because the employee exercises any of the rights provided in section 502 of this act, including the right to vote under 502(3) of this act.

(2) Any employee who believes that he or she has been discharged or otherwise discriminated against in violation of this section may, within one year after such violation occurs, file a complaint with the director alleging such discrimination. Upon receipt of a complaint, the director shall cause an investigation to be made as the director deems appropriate. If after investigation, the director determines that the provisions of this section have been violated, the director may bring an action in superior court of the county in which the violation is alleged to have occurred against the person or persons alleged to have violated the provisions of this section. If the director declines to investigate a complaint of discrimination under the provisions of this section, or declines to institute legal action following an investigation, the employee may institute the action on his or her own behalf after receiving notice of the director's decision to not investigate or not initiate legal action on the case. In any action under this section, the superior court shall have jurisdiction, for cause shown, to restrain violations of subsection (1) of this section and to order all appropriate relief including rehiring or reinstatement of the employee to his or her former position with back pay.

(3) Within ninety days of the receipt of the complaint filed under this section, the director shall notify the complainant of the determination under subsection (2) of this section.

**NEW SECTION.** Sec. 504. If employees are covered by an unexpired collective bargaining agreement containing terms that conflict with section 502 of this act, and the agreement expires on or after the effective date of this act, section 502 of this act shall

apply to these employees on the first day following expiration of the collective bargaining agreement.

#### "B. Minimum Wage"

Sec. 505. RCW 49.46.020 and 1989 c 1 s 2 are each amended to read as follows:

(1) Every employer shall pay to each of his or her employees who has reached the age of eighteen years wages at a rate of not less than ~~((three dollars and eighty five cents per hour except as may be otherwise provided under this section. Beginning January 1, 1990, the state minimum wage shall be))~~ four dollars and twenty-five cents per hour, except that the wage rate is:

(a) Beginning on July 1, 1991, four dollars and seventy-five cents per hour;

(b) Beginning on January 1, 1992, five dollars and twenty-five cents per hour; and

(c) Beginning on April 1, 1993, and readjusted beginning on each April 1st thereafter, adjusted to the nearest cent which bears the ratio of its original amount that exists between the index for 1991 and the index for the calendar year prior to the year of adjustment. For the purposes of this subsection "index" means the same as RCW 2.12.037(1).

(2) The director shall by regulation establish the minimum wage for employees under the age of eighteen years.

#### "C. Enforcement of Wage and Hour Standards"

NEW SECTION. Sec. 506. The legislature finds that over twenty-five thousand state residents per year file cases and complaints with the department of labor and industries alleging they have been denied payment for work they performed. Each month an average of over one million dollars in back wages is sought by workers.

The legislature further finds that the Washington state minimum wage law and wage claim laws do not require payment of interest on back wages owed and do not authorize adequate penalties against violators. To improve compliance, the department of labor and industries should be allowed to assess interest on back wages and impose civil penalties against employers who are found to be not in compliance with chapters 49.46 and 49.48 RCW.

Sec. 507. RCW 49.46.100 and 1959 c 294 s 10 are each amended to read as follows:

(1) Any employer who hinders or delays the director or ~~((his))~~ the director's authorized representatives in the performance of ~~((his))~~ the director's duties in the enforcement of this chapter, or refuses to admit the director or ~~((his))~~ the director's authorized representatives to any place of employment, or fails to make, keep, and preserve any records as required under the provisions of this chapter, or falsifies any such record, or refuses to make any record accessible to the director or ~~((his))~~ the director's authorized representatives upon demand, or refuses to furnish a sworn statement of such record or any other information required for the proper enforcement of this chapter to the director or ~~((his))~~ the director's authorized representatives upon demand ~~((, or pays or agrees to pay wages at a rate less than the rate applicable under this chapter, or otherwise violates any provision of this chapter or of any regulation issued under this chapter))~~ shall be deemed in violation of this chapter and shall ~~((, upon conviction therefor, be guilty of a gross misdemeanor))~~ be assessed a civil penalty for each violation of not more than one thousand dollars depending on the size of the business and the gravity of the violation.

(2) ~~((Any))~~ (a) An employer who pays or agrees to pay wages at a rate less than the rate applicable under this chapter or any rule or order adopted under this chapter may be assessed civil penalties of an amount equal to twenty percent of the wage violation.

(b) An employer who willfully or repeatedly pays or agrees to pay wages at a rate less than the rate applicable under this chapter or a rule or order adopted under this chapter is in violation of this chapter, and shall, upon conviction, be guilty of a gross misdemeanor.

(3) Upon a finding by the director that an employer who discharges or in any other manner discriminates against any employee because such employee has made any complaint to his or her employer, to the director, or his or her authorized representatives that he or she has not been paid wages in accordance with the provisions of this chapter, or that the employer has violated any provision of this chapter, or because such employee has caused to be instituted or is about to cause to be instituted any proceeding under or related to this chapter, or because such employee has testified or is about to testify in any such proceeding ((shall be deemed in violation of this chapter and shall, upon conviction therefor, be guilty of a gross misdemeanor)), the director may require an employer who has discharged or discriminated against an employee in violation of this chapter to reinstate the employee to the same position with back pay and interest up to one percent per month.

(4) Civil penalties imposed under this chapter shall be paid to the director for deposit in the general fund. Civil penalties may be recovered and other civil remedies authorized by this chapter may be enforced in a civil action in the name of the department brought in the superior court of the county where the violation is alleged to have occurred, or the department may use the procedures for collection of wages set forth in chapter 49.48 RCW.

Sec. 508. RCW 49.48.040 and 1987 c 172 s 1 are each amended to read as follows:

(1) The department of labor and industries may:

(a) Conduct investigations to ensure compliance with chapters 39.12, 49.46, and 49.48 RCW, upon obtaining information indicating an employer may be committing a violation under chapters 39.12, 49.46, and 49.48 RCW((, conduct investigations to ensure compliance with chapters 39.12, 49.46, and 49.48 RCW));

(b) Order the payment of all wages owed the workers, including interest of up to one percent per month on back wages owed, and institute actions necessary for the collection of the sums determined owed; and

(c) Take assignments of wage claims and prosecute actions for the collection of wages and interest of up to one percent per month on back wages owed of persons who are financially unable to employ counsel when in the judgment of the director of the department the claims are valid and enforceable in the courts.

(2) Upon being informed of a wage claim against an employer or former employer, the director shall, if such claim appears to be just, immediately notify the employer or former employer, of such claim by mail. If the employer or former employer fails to pay the claim or make satisfactory explanation to the director of the failure to do so, within thirty days thereafter, the employer or former employer shall be liable to a penalty of twenty percent of that portion of the claim found to be justly due. The director shall have a cause of action against the employer or former employer for the recovery of such penalty, and the same may be included in any subsequent action by the director on said wage claim, or may be exercised separately after adjustment of such wage claim without court action. Civil penalties imposed under this section shall be paid to the director for deposit in the general fund.

(3) The director of the department or any authorized representative may, for the purpose of carrying out RCW 49.48.040 through 49.48.080: (a) Issue subpoenas to compel the attendance of witnesses or parties and the production of books, papers, or records; (b) administer oaths and examine witnesses under oath; (c) take the verification of proof of instruments of writing; and (d) take depositions and affidavits. If assignments for wage claims are taken, court costs shall not be payable by the department for prosecuting such suits.

((3)) (4) The director shall have a seal inscribed "Department of Labor and Industries--State of Washington" and all courts shall take judicial notice of such seal. Obedience to subpoenas issued by the director or authorized representative shall be enforced by the courts in any county.

((4)) (5) The director or authorized representative shall have free access to all places and works of labor. Any employer or any agent or employee of such employer who refuses the director or authorized representative admission therein, or who, when requested by the director or authorized representative, willfully neglects or refuses to furnish the director or authorized representative any statistics or information pertaining to his or her lawful duties, which statistics or information may be in his or her possession or under the control of the employer or agent, shall be guilty of a misdemeanor.

(6) An action for relief under this section shall be commenced within three years after the cause of action accrues, unless a longer period of time applies under law.

Sec. 509. RCW 49.48.060 and 1971 ex.s. c 55 s 4 are each amended to read as follows:

(1) If upon investigation by the director, after taking assignments of any wage claim under RCW 49.48.040, it appears to the director that the employer is representing to ((his)) employees that ((he)) the employer is able to pay wages for their services and that the employees are not being paid for their services or if the director determines an employer has repeatedly violated the provisions of chapter 39.12, 49.46 or 49.48 RCW requiring payment of wages, the director may require the employer to give a bond in such sum as the director deems reasonable and adequate in the circumstances, with sufficient surety, conditioned that the employer will for a definite future period not exceeding six months conduct ((his)) business and pay ((his)) employees in accordance with the laws of the state of Washington.

(2) If within ten days after demand for such bond the employer fails to provide the same, the director may commence a suit against the employer in the superior court of appropriate jurisdiction to compel ((him)) the employer to furnish such bond or cease doing business until ((he)) the employer has done so. The employer shall have the burden of proving the amount thereof to be excessive.

(3) If the court finds that there is just cause for requiring such bond and that the same is reasonable, necessary or appropriate to secure the prompt payment of the wages of the employees of such employer and his compliance with RCW 49.48.010 through 49.48.080, the court shall enjoin such employer from doing business in this state until the requirement is met, or shall make other, and may make further, orders appropriate to compel compliance with the requirement.

~~((Upon being informed of a wage claim against an employer or former employer, the director shall, if such claim appears to be just, immediately notify the employer or former employer, of such claim by mail. If the employer or former employer fails to pay the claim or make satisfactory explanation to the director of his failure to do so, within thirty days thereafter, the employer or former employer shall be liable to a penalty of ten percent of that portion of the claim found to be justly due. The director shall have a cause of action against the employer or former employer for the recovery of such penalty, and the same may be included in any subsequent action by the director on said wage claim, or may be exercised separately after adjustment of such wage claim without court action.))~~

#### "PART VI APPROPRIATIONS"

NEW SECTION. Sec. 601. The sum of five hundred thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1993, from the general fund to the department of labor and industries for additional full-time equivalents to enhance enforcement of employment standards.

NEW SECTION. Sec. 602. The sum of one million six hundred thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1993, of which three hundred thousand dollars shall come from the general fund and one million three hundred thousand dollars shall be matched by federal child care and

development block grant funds to the department of social and health services for the purposes of sections 305 through 307 of this act.

**"PART VII  
MISCELLANEOUS"**

NEW SECTION. Sec. 701. RCW 41.04.370 and 1984 c 162 s 1 are hereby repealed.

NEW SECTION. Sec. 702. This act shall be known and may be cited as the "Foundation for Families Act of 1991."

NEW SECTION. Sec. 703. 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. 704. If by June 30, 1991, the omnibus operating budget appropriations act for the 1991-93 biennium does not provide specific funding for sections 304, 305, and 306 of this act, referencing the sections by bill and section number, any such section not referenced is null and void.

NEW SECTION. Sec. 705. Part headings as used in this act constitute no part of the law.

NEW SECTION. Sec. 706. Sections 401 through 408 and 505 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect July 1, 1991.

NEW SECTION. Sec. 707. Sections 201 through 209 of this act shall take effect September 1, 1991.

NEW SECTION. Sec. 708. Sections 404 through 406 and section 408 of this act are each added to chapter 49.12 RCW.

NEW SECTION. Sec. 709. Sections 502 through 504 of this act are each added to chapter 49.46 RCW.

On page 1, line 1 of the title, after "act"; strike the remainder of the title and insert "amending RCW 49.78.020, 49.78.030, 49.78.040, 49.78.050, 49.78.070, 49.78.130, 74.13.0902, 43.31.512, 74.13.0903, 41.04.385, 82.02.020, 49.12.121, 49.12.170, 49.46.130, 49.46.020, 49.46.100, 49.48.040, and 49.48.060; adding new sections to chapter 49.12 RCW; adding a new section to chapter 49.78 RCW; adding a new section to chapter 74.13 RCW; adding new sections to chapter 49.46 RCW; creating new sections; repealing RCW 49.78.060, 49.78.210, 49.12.123, and 41.04.370; prescribing penalties; making appropriations; providing effective dates; and declaring an emergency."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Appelwick; Belcher; Braddock; Brekke; Dorn; Ebersole; Hine; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Wang; and Wineberry

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Bowman; Ferguson; Fuhrman; Lisk; May; McLean; Mielke; Nealey; and Vance.

Voting nay: Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Bowman; Ferguson; Fuhrman; May; McLean; Mielke; Nealey; and Vance.

Excused: Representatives Holland and Lisk.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1510 Prime Sponsor, Representative R. Meyers: Changing provisions relating to guardianship. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

On page 4, beginning on line 14, strike all of section 2

Renumber the sections consecutively and correct any internal references accordingly.

On page 1, line 3 of the title, after "11.92.180;" strike "adding a new section to chapter 11.88 RCW;"

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dom; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Braddock and Holland.

Passed to Committee on Rules for second reading.

March 8, 1991

HB 1517 Prime Sponsor, Representative Phillips: Ratifying the Pacific Ocean Resources Compact. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Environmental Affairs. (For committee amendments, see Journal, 46th Day, February 28, 1991.) Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Belcher; Fuhrman; Holland; Lisk; and Rust.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1523 Prime Sponsor, Representative Day: Establishing regional service centers for the deaf. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1523 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne,

Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; and Silver.

Excused: Representative Van Luvan.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1534 Prime Sponsor, Representative H. Myers: Providing training for investigating and prosecuting sexual assault cases. Reported by Committee on Appropriations

**MAJORITY recommendation:** The substitute bill by Committee on Judiciary be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Sec. 1. The safety of all children is enhanced when sexual assault cases are properly investigated and prosecuted. The victim of the sexual assault and the victim's family have a right to be treated with sensitivity and professionalism, which also increases the likelihood of their continued cooperation with the investigation and prosecution of the case. The legislature finds the sexual assault cases, particularly those involving victims who are children, are difficult to prosecute successfully. The cooperation of a victim and the victim's family through the investigation and prosecution of the sexual assault case is enhanced and the trauma associated with the investigation and prosecution is reduced when trained victim advocates assist the victim and the victim's family through the investigation and prosecution of the case. Trained victim advocates also assist law enforcement, prosecutors, and defense attorneys, by relieving some of the burden of explaining the investigation and prosecution process and possible delays to the victim and accompanying the victim during interviews by the police, prosecutor, and defense attorney, and accompanying the victim during hearings and the trial.

The legislature finds that counties should give priority to the successful prosecution of sexual assault cases, especially those that involve children, by ensuring that prosecutors, investigators, defense attorneys, and victim advocates are properly trained and available. Therefore, the legislature intends to establish a mechanism to provide the necessary training of prosecutors, law enforcement investigators, defense attorneys, and victim advocates and ensure the availability of victim advocates for victims of sexual assault and their families.

**NEW SECTION.** Sec. 2. (1) Each year the criminal justice training commission shall offer an intensive, integrated, week-long training session on investigating and prosecuting sexual assault cases. The training shall place particular emphasis on the development of professionalism and sensitivity towards the victim and the victim's family.

(2) The commission shall seek advice from the Washington association of prosecuting attorneys, the Washington defender association, the Washington association of sheriffs and police chiefs, and the Washington coalition of sexual assault programs.

(3) The training shall be an integrated approach to sexual assault cases so that prosecutors, law enforcement, defenders, and victim advocates can all benefit from the training.

(4) The training shall be self-supporting through fees charged to the participants of the training. The counties may use the funds available under RCW 82.14.310, 82.14.315, 82.14.320, and 82.14.340 to pay for participants' training.

NEW SECTION. Sec. 3. (1) Rape crisis centers which are eligible for funding from the department of social and health services under chapter 70.125 RCW may apply for grants for the purpose of hiring and training victim advocates to assist victims and their families through the investigation and prosecution of sexual assault cases. The victim advocates shall complete a training program either through the criminal justice training program under section 2 of this act or, at the election of the rape crisis center, a training program to be designed and administered by the Washington association of prosecuting attorneys and the Washington coalition of sexual assault programs.

(2) Twenty-five percent of the funding for the victim advocate grants under this section must be provided by one or more local, municipal, or county source, either public or private. The department shall seek, receive, and make use of any funds which may be available from federal or other sources to augment state funds appropriated for the purpose of this section, and shall make every effort to qualify for federal funding.

NEW SECTION. Sec. 4. Section 2 of this act is added to chapter 43.101 RCW.

NEW SECTION. Sec. 5. Section 3 of this act is added to chapter 70.125 RCW.

NEW SECTION. Sec. 6. If by June 30, 1991, the omnibus operating budget appropriations act for the 1991-93 biennium does not provide specific funding for section 3 of this act, referencing this act by bill number and section, section 3 of this act shall be null and void.

NEW SECTION. Sec. 7. 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 shall take effect July 1, 1991.

On page 1, line 2 of the title, after "cases;" strike the remainder of the title and insert "adding a new section to chapter 43.101 RCW; adding a new section to chapter 70.125 RCW; creating new sections; providing an effective date; and declaring an emergency."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dom; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

Excused: Representative Holland.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1569 Prime Sponsor, Representative Braddock: Providing for community-based long-term care and support services for functionally disabled persons. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill by Committee on Health Care be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Revenue:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. SHORT TITLE. This chapter may be known and cited as the omnibus community-based long-term care secured benefit act.

NEW SECTION. Sec. 2. PURPOSE AND INTENT. It is the purpose and intent of the legislature, through this chapter, to organize the foundation for financing and

providing community-based long-term care and support services through an integrated, comprehensive system that promotes human dignity and recognizes the individuality of all functionally disabled persons. This system shall be available, accessible, and responsive to all citizens based upon an assessment of their functional disabilities. The legislature recognizes that families, volunteers, and community organizations are absolutely essential for delivery of effective and efficient community-based long-term care and support services and it is a purpose of this chapter to support and strengthen that private and public service infrastructure. It is further a purpose of this chapter to provide secured benefit assurance in perpetuity without requiring family or program beneficiary impoverishment for service eligibility.

**NEW SECTION.** Sec. 3. **DEFINITIONS.** Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Administrative entity" means an agency of state, regional, or local government or a private nonprofit organization that has entered into an agreement with the board to administer any part of the program.

(2) "Board" means the community-based long-term care secured benefit program board.

(3) "Committee" means the community-based long-term care secured benefit program policy advisory committee established pursuant to section 6 of this act.

(4) "Community-based long-term care and support services" means services and support provided to program beneficiaries in accordance with section 9 of this act.

(5) "Federal poverty level" means the annual poverty guidelines determined annually by the United States department of health and human services, or its successor agency.

(6) "Functionally disabled person" means a person who, because of a recognized chronic physical or mental condition or disease: (a) Needs care, support, supervision, or monitoring to perform activities of daily living or instrumental activities of daily living; or (b) needs support to ameliorate or compensate for the effect of the chronic physical or mental condition or disease.

(7) "Habilitation service" means services to assist persons in acquiring and maintaining life skills and to raise, maintain, or support their levels of physical, mental, social, and vocational functioning. "Habilitation services" shall not include major rehabilitative services to assist persons in regaining previously existing bodily functions and life skills.

(8) "Program" means the community-based long-term care secured benefit program established by this chapter.

(9) "Program beneficiary" means a person who has been determined to be functionally disabled and eligible to receive services through the program.

#### "PART I

#### ADMINISTRATION OF THE COMMUNITY-BASED LONG-TERM CARE SECURED BENEFIT PROGRAM"

**NEW SECTION.** Sec. 4. **INTENT REGARDING PROGRAM ADMINISTRATION.** It is the intent of the legislature that administration of the program includes active participation by program beneficiaries, their families, and communities in public discussions, service planning, decision making, and service delivery. An independent board, representing payors and functionally disabled persons, shall administer this chapter within statutory guidelines established by the legislature. Administrative entities shall encourage creativity, innovation, and community involvement in the development and implementation of services. Information systems shall be developed to assess program outcomes and to assure state-wide adherence to baseline levels of service availability and quality. A simplified, independent inspection, monitoring and correction function shall be established within the system.

**NEW SECTION.** Sec. 5. **ESTABLISHMENT AND POWERS OF BOARD.** (1) The community-based long-term care secured benefit program board is hereby established.

The board shall be composed of five members appointed by the governor. The members of the board shall be representative of public payors, private payors, and functionally disabled persons. The chairperson of the board shall be chosen by the vote of a majority of the members of the board.

(2) The governor shall appoint the initial members of the board to staggered terms not to exceed eight years, with three members of the board serving at least four years. Members appointed thereafter shall serve four-year terms, and may serve for up to two terms. Members of the board shall be compensated in accordance with RCW 43.03.250 and shall be reimbursed for their travel expenses while on official business in accordance with RCW 43.03.050 and 43.03.060. Meetings of the board shall be at the call of the chairperson.

(3) The board shall have the following powers and duties:

(a) To plan, design, and administer a regionally operated system of community-based long-term care and support services that provides a coordinated system of care and support for functionally disabled persons through regional administrative entities, using family, volunteer, and community resources to the greatest extent possible, in which functionally disabled persons and resources are directed toward the least restrictive and least costly service appropriate for each such person;

(b) To manage the current expense account and reserve account of the secured benefit fund established by section 20 of this act;

(c) To administer program benefits, and to determine the scope of community-based long-term care and support services covered by the program in accordance with section 9 of this act;

(i) In determining the scope of services, the board shall maintain the financial integrity of the secured benefit fund;

(ii) The board shall define the scope of transportation services that can be funded by the program in accordance with section 9 of this act. In defining the scope of transportation services, the board shall consider the appropriate role of paratransit systems;

(d) To develop uniform functional disability assessments that accurately measure the abilities and disabilities of functionally disabled persons of all ages, and determine the entity or entities responsible for conducting such assessments;

(e) To develop performance standards, to the extent not specifically established by this chapter, based upon the recommendations of the long-term care commission and its technical advisory committees, with input from functionally disabled persons, their families, long-term care service providers, and administrators. Performance standards shall emphasize outcomes, rather than the manner in which services are administered. Performance standards shall, to the greatest extent practicable, promote leveraging of family and community resources available to each program beneficiary and shall include consideration of the extent to which each program beneficiary's plan of care builds on the support available to that individual from their family and the community;

(f) To administer and adjust program beneficiary cost-sharing as necessary, in accordance with section 10 of this act;

(g) To engage in quality assurance activities in accordance with section 7 of this act;

(h) To develop payment and cost control mechanisms for community-based long-term care and support services;

(i) To design and administer a long-term care information system in accordance with section 16 of this act;

(j) To develop mechanisms to assure that the program is coordinated with the acute health care services system and the vocational rehabilitation services system;

(k) To coordinate with other relevant entities to plan for development of an appropriately trained long-term care work force;

(l) To contract with and monitor administrative model projects in accordance with section 14 of this act;

(m) To delegate its authority, when deemed appropriate by the board, to other public or private entities; and

(n) To adopt rules pursuant to chapter 34.05 RCW necessary to carry out the responsibilities established in this chapter.

(4) The board shall employ staff as necessary to fulfill its responsibilities and duties. The program director and up to five other employees are exempt from state civil service law, chapter 41.06 RCW. Remaining staff are subject to the state civil service law, chapter 41.06 RCW. In addition, the board may contract with third parties for services necessary to carry out its responsibilities and duties to the extent not prohibited by RCW 41.06.380.

**NEW SECTION.** Sec. 6. ESTABLISHMENT OF POLICY ADVISORY COMMITTEE. (1) The community-based long-term care secured benefit program policy advisory committee is hereby established. The committee shall be composed of thirteen members appointed by the board. Committee membership shall be geographically balanced, ethnically and culturally diverse, and representative of persons with differing types of functional disabilities. At least half of the members shall be functionally disabled persons or their advocates, who shall not be paid long-term care services providers.

(2) The committee shall:

(a) Advise the board regarding planning and administration of the program; and

(b) Review and comment upon state policies, programs, and actions that affect program beneficiaries, with the intent of assuring maximum coordination with long-term care and support services, and maximum responsiveness to the needs of program beneficiaries.

(3) The committee shall meet at least quarterly. Committee members shall be reimbursed for travel expenses pursuant to RCW 43.03.050 and 43.03.060.

**NEW SECTION.** Sec. 7. QUALITY ASSURANCE. (1) The board is responsible for quality assurance activities relating to licensing, monitoring, and enforcement of performance standards applicable to administrative entities. The department of health shall be responsible for licensing and monitoring community-based long-term care and support service providers. In its quality assurance activities, the board shall emphasize review of service outcomes, rather than the manner in which services are administered.

(2) Quality assurance activities shall include but not be limited to:

(a) Establishment of licensure and certification requirements for and monitoring of administrative entities. The department of health shall administer existing licensing and monitoring programs for community-based long-term care and support service providers, and their employees. The board may request that licensing standards be developed by the legislature or the department of health for community-based long-term care and support services that are not regulated under existing statutes or rules.

(b) Monitoring and investigation of performance by administrative entities and community-based long-term care and support service providers, and their employees, including the establishment of mechanisms to receive and respond to reports of abuse, neglect, malpractice, misfeasance, and contractual violations by such entities and providers;

(c) Imposition of sanctions against administrative entities for abuse, neglect, malpractice, misfeasance, and contractual violations, which shall include withholding or requiring the withholding of payment, terminating or requiring the termination of contracts, injunctive remedies, civil penalties, receivership, and referral for prosecution; and

(d) Retrospective monitoring of data gathered through the information system established by section 16 of this act.

(3) The board shall provide for an independent office of the inspector general to assist in carrying out the quality assurance powers and duties established in this section, which office shall report directly to the board and which shall annually report to the legislature on the quality of community-based long-term care and support services provided to functionally disabled persons.

(4) By petition to the board, a program beneficiary may initiate, or intervene in, any proceeding in which the board is taking an enforcement action against an administrative entity or community-based long-term care provider serving the program beneficiary.

(5) Contracts with administrative entities shall specify the quality assurance activities that will be undertaken by the administrative entity. Such activities shall include monitoring of contracts between administrative entities and community-based long-term care and support services providers, establishment of program beneficiary complaint resolution mechanisms, and other activities deemed appropriate by the board.

#### "PART II

#### COMMUNITY-BASED LONG-TERM CARE SERVICES"

**NEW SECTION.** Sec. 8. **INTENT REGARDING SERVICES.** It is the intent of sections 9 through 11 of this act relating to community-based long-term care and support services that such services be defined as noninstitutional services that are primarily habilitative which would allow program beneficiaries to live and otherwise function in their community as independently as practicable. Although these services do not include nursing homes, state institutions, or health care facilities, it is necessary that these functions be coordinated with the community-based long-term care system. Technical, demographic, and cultural changes make it impossible to prescribe a complete list of services or define by program the array of services that could meet the intent and purposes of this chapter. It is the intent of this section to include those services commonly considered "community-based," and to allow flexibility in defining new or additional services that will contribute to the purpose and intent of this chapter. It is recognized that uniform systems of assessment and case management are essential for monitoring equity and quality in service delivery, measuring outcomes, and assuring the most effective use of public and private expenditures. It is recognized that availability of services does not guarantee their use, and that aggressive targeting and outreach, and culturally and linguistically accessible and appropriate services, are necessary to assure that services are available to the most disadvantaged in our communities.

**NEW SECTION.** Sec. 9. **COMMUNITY-BASED LONG-TERM CARE AND SUPPORT SERVICES.** (1) The services available to program beneficiaries shall include, at a minimum, those services included in subsection (2) of this section and provided in accordance with subsection (3) of this section. Community-based long-term care and support services may be provided in a nonresidential setting, a program beneficiary's home, or other residential settings not specifically excluded pursuant to subsection (4) of this section.

(2) Community-based long-term care and support services shall include at least the following services:

(a) Public education;

(b) Telephone information and assistance, including screening and possible referral for case management assessment;

(c) Gatekeeper, or other outreach component;

(d) Case management, which shall include:

(i) A multidimensional assessment of the functionally disabled person's health and long-term care needs. No cost-sharing shall be imposed for this modality;

(ii) Development of a comprehensive care plan negotiated by the program beneficiary and his or her case manager, which meets minimum standards established by the board to prevent overly subjective determinations of service needs, and which is

subject to an appeal mechanism that provides an opportunity for informal review prior to a fair hearing;

(iii) Initiation, coordination, and monitoring of all long-term care services needed by a program beneficiary, including those services not funded by the program;

(iv) Involvement of each program beneficiary's family and other support systems; and

(v) Reassessment and service termination;

(e) Personal and household assistance services to assist individuals with activities of daily living and instrumental activities of daily living;

(f) Respite care and family support services necessary to maintain the program beneficiary in his or her family home;

(g) Nursing services;

(h) Day care and day health care for functionally disabled persons;

(i) Mental health day treatment and other mental health counseling;

(j) Habilitation services; and

(k) Transportation services, to the extent that the administrative entity can demonstrate positive planning by the community through the use of a local option tax or other method to provide paratransit or specialized transportation services to program beneficiaries.

(3) Each functionally disabled person's participation in a functional assessment performed by an entity designated by the board pursuant to section 5 of this act shall be a precondition to receipt of all long-term care services, including those long-term care services not provided through the program.

(4) Services performed by the following institutions shall not be funded by the secured benefit fund, except as provided in subsection (5) of this section:

(a) Nursing homes licensed pursuant to chapter 18.51 RCW;

(b) State institutions for developmentally disabled persons, defined as residential habilitation centers in chapter 71A.20 RCW; and

(c) State institutions for mentally ill persons, including but not limited to Eastern State Hospital and Western State Hospital.

(5) The board may establish criteria for funding community-based long-term care and support services provided in a nursing home or other health care facility, to the extent that use of such settings is cost-effective and offers appropriate high quality services to program beneficiaries.

(6) In determining whether services not explicitly included pursuant to subsection (2) of this section or excluded pursuant to subsection (4) of this section can be offered through the program, the board shall consider the following criteria:

(a) Protection of the financial integrity of the secured benefit fund established in section 20 of this act;

(b) The extent to which the service is consistent with the intent and purposes of this chapter;

(c) The extent to which the service supports individual dignity and independence;

(d) The needs of individual local communities;

(e) The effectiveness and efficiency of the service; and

(f) The extent of local community and volunteer participation in providing the service.

**NEW SECTION.** Sec. 10. PROGRAM BENEFICIARY COST-SHARING. (1) The board shall establish a sliding fee scale to determine a program beneficiary's contribution to the cost of community-based long-term care and support services provided to him or her through the program. The sliding fee scale shall be designed to generate a minimum of twenty percent of operating costs of the new system. Sliding fee and other program beneficiary cost sharing payments shall not be imposed prior to state-wide implementation of the program unless a program beneficiary resides within a county

served by a regional administrative model project and cost sharing payments for community-based long-term care and support services that program beneficiary is receiving are not prohibited by federal law.

(2) The sliding fee scale shall:

(a) Base the level of a program beneficiary's contribution on that individual's gross household income, giving appropriate consideration to family size. In determining gross household income, the income of an applicant's spouse shall be considered available to the applicant, and the income of a minor applicant's parents shall be considered available to that minor. The board shall define "income" and other relevant criteria by rule;

(b) Provide that for program beneficiaries with gross household income below one hundred fifty percent of the federal poverty level, cost-sharing shall not have the effect of discouraging appropriate use of necessary community-based long-term care and support services;

(c) Provide for limits on annual cost-sharing obligation for each program beneficiary's household.

(3) To affect community-based long-term care and support service utilization, the board may establish copayments or deductibles which:

(a) May be imposed in lieu of the sliding fee scale for program beneficiaries requiring small amounts of community-based long-term care and support services; and

(b) Shall not have the effect of discouraging appropriate use of necessary community-based long-term care and support services for program beneficiaries with gross household incomes below one hundred fifty percent of the federal poverty level.

**NEW SECTION.** Sec. 11. RIGHT TO REFUSE SERVICES. Nothing contained in this chapter shall be construed to require a program beneficiary to accept services, except to the extent provided otherwise by chapters 71.05, 11.88, and 11.92 RCW.

### "PART III

### IMPLEMENTING THE NEW COMMUNITY-BASED LONG-TERM CARE SYSTEM"

**NEW SECTION.** Sec. 12. INTENT RELATING TO IMPLEMENTATION. It is the intent of the legislature that state-wide community-based long-term care and support services be modeled through regional pilot projects that will test various administrative structures. Lessons learned through the pilot projects will be applied to development of the state-wide community-based system. During the initial phase, additional community-based long-term care and support services will be provided through medicaid and other expansions using revenue from the secured benefit fund to serve unmet needs.

**NEW SECTION.** Sec. 13. IMPLEMENTATION. (1) The board shall adopt a schedule for the orderly development of the delivery of services and availability of the program to functionally disabled residents of the state, giving full consideration to the results of the evaluation of administrative model projects conducted in accordance with section 14 of this act.

(2) Based upon knowledge gained from the administrative model projects established pursuant to section 14 of this act, current categorical long-term care systems shall merge into the program on a fixed future date, to be determined by the board after authorization by the legislature. Upon merger of these categorical systems, the needs of all disability groups shall be equitably addressed through the program, regardless of the administrative model adopted by the board.

**NEW SECTION.** Sec. 14. REGIONAL ADMINISTRATIVE MODEL PROJECTS.

(1) Regional administrative model projects shall plan, coordinate, and administer community-based long-term care and support services for a designated region composed of one or more counties with a total population of at least forty thousand.

(2) Regional administrative model projects shall satisfy the following criteria:

(a) Have the support of the county authority for the county or counties included in the project site;

(b) Build upon support available to each program beneficiary from the individual's family, community, and local business;

(c) Existing regional and local advisory councils, such as councils on aging, developmental disabilities, and mental health established under state or federal law, and multicultural and multi-ethnic groups will be involved in the proposed long-term care delivery system;

(d) Services to minimize the effects of degenerative and debilitating conditions that result in a loss of independence will be offered. Such a plan might include a mechanism to support people who are at risk of rapid deterioration without support;

(e) Identify mechanisms that will be used to coordinate services with the acute health care and vocational rehabilitation systems;

(f) Identify mechanisms to coordinate services with regional support networks established pursuant to chapter 71.24 RCW, including, but not limited to, formal interagency agreements detailing the roles and responsibilities of the regional support network and the regional administrative model project in meeting the needs of persons whose functional disability is related in whole or in part to mental illness;

(g) Transportation needs will be assessed and addressed;

(h) Identify mechanisms that will be used to control nursing costs;

(i) Provide directly or by contract case management services that include:

(i) A multidimensional assessment of the functionally disabled person's health and long-term care needs. No cost-sharing shall be imposed for this modality;

(ii) Development of a comprehensive care plan negotiated by the program beneficiary and his or her case manager, which meets minimum standards established by the board to prevent overly subjective determinations of service needs, and which is subject to an appeal mechanism that provides an opportunity for informal review prior to a fair hearing;

(iii) Initiation, coordination, and monitoring of all long-term care services needed by a program beneficiary, including those services not funded by the program;

(iv) Involvement of each program beneficiary's family and other support systems; and

(v) Reassessment and service termination;

(j) Include mechanisms to ensure access to culturally and linguistically appropriate services by minority and limited English speaking populations.

(3) In contracting for regional administrative model project sites, the board shall:

(i) Utilize competitive bidding procedures;

(ii) Issue planning grants and contracts to operate regional administrative model projects in no more than five sites. To the greatest extent possible, giving consideration to applications received and an applicant's ability to comply with relevant performance standards:

(A) Two sites shall be comprised of more than one county west of the Cascade mountains;

(B) One site shall be comprised of a single county west of the Cascade mountains;

(C) One site shall be comprised of more than one county east of the Cascade mountains; and

(D) One site shall be comprised of a single county east of the Cascade mountains.

Planning grants shall have a duration of July 1, 1992, through June 30, 1993.

Contracts to operate regional administrative model projects shall have a duration of three years, beginning on or after July 1, 1993;

(iii) To the greatest extent possible, contract for a diversity of case management models. At least one of the models shall utilize a case management model in which the case manager authorizes and manages services within budgeted funds.

(iv) Include remedies in the contracts for failure to comply with the terms of the contract, including intermediate remedies in addition to termination of a contract.

**NEW SECTION.** Sec. 15. **EVALUATION OF REGIONAL ADMINISTRATIVE MODEL PROJECTS.** The board shall develop criteria to evaluate the success and failure of the regional administrative model projects established pursuant to section 14 of this act in meeting the intent and purposes of this chapter. The board shall contract with an independent entity to evaluate:

- (1) The regional administrative model projects using the criteria developed pursuant to this section; and
- (2) The actions taken by the board to implement this chapter giving consideration to this chapter's intent and purposes.

A report detailing the results of the evaluation shall be submitted to the governor and appropriate committees of the legislature no later than three years following initiation of the regional administrative model projects.

**NEW SECTION.** Sec. 16. **INFORMATION SYSTEM.** The board shall design and administer a long-term care information system. In designing the information system, the board shall pursue the following objectives:

- (1) Use of a single common identifier for each functionally disabled person using long-term care services;
- (2) Ability to track each functionally disabled person's use of long-term care services;
- (3) Protection of confidentiality for functionally disabled persons using long-term care services; and
- (4) Access to nonconfidential information relating to available long-term care services, training information for caregivers, and service utilization and cost data for planners and policymakers.

**NEW SECTION.** Sec. 17. **ADMINISTRATION OF LONG-TERM CARE SERVICES PENDING STATE-WIDE IMPLEMENTATION OF PROGRAM.** Pending merger of current categorical long-term care systems into the program as provided in section 13 of this act, other than in the regional administrative model project sites, current long-term care services administration shall continue. During this period, subject to board approval, agencies administering community-based long-term care and support services may make administrative changes consistent with the intent and purposes of this chapter and as otherwise authorized by law.

#### "PART IV FINANCING COMMUNITY-BASED LONG-TERM CARE SERVICES"

**NEW SECTION.** Sec. 18. **INTENT RELATING TO FINANCING.** Recognizing that financial stability is essential to success of a comprehensive long-term care system and that current and future demands are exceeding available financial resources, a dedicated fund comprised of state general funds, matching federal funds, public insurance funds, and sliding fee contributions by program beneficiaries shall be established. The legislature recognizes that development and implementation of the program will involve significant cooperation and partnership between Washington state and the federal government. It is the intent of the legislature that a minimum of fifty percent of annual revenues generated by public insurance on or after January 1, 1995, be held in an ongoing trust account that will accrue principal and interest until at least the year 2010 and then be expended only for services eligible under this chapter.

**NEW SECTION.** Sec. 19. **FEDERAL/STATE RELATIONSHIP.** The board shall identify and request federal statutory waivers necessary to allow federal funds currently used for community-based long-term care and support services to be deposited into the secured benefit fund and expended as provided in this chapter.

**NEW SECTION.** Sec. 20. **FINANCING.** (1) The secured benefit fund is created in the state treasury. All receipts from sources specified in this section shall be deposited

in the fund. Moneys in the fund may be spent only after appropriation and may be used only for carrying out the purposes of this chapter.

(2) The secured benefit fund shall consist of:

(a) The insurance contributions specified in this section and payable by each employer as defined in RCW 50.04.080 and an amount equivalent to the insurance contributions specified in this section payable by each corporate officer, partner in a partnership, sole proprietor, or individual who is an employee for whom an insurance contribution is not required under Title 50 RCW or who earns self-employment or partnership income which is essentially equivalent to wages as defined in RCW 50.04.320. The department of revenue shall provide to the employment security department such taxpayer registration information as requested to assist the employment security department in the identification of persons subject to this section;

(b) Legislative appropriations for general fund-state spending for community-based long-term care and support services;

(c) Federal funds received by the state as payment for community-based long-term care and support services, including but not limited to the medicare program, Title XVIII of the federal social security act, and the medicaid program, Title XIX of the federal social security act; and

(d) Program beneficiary cost-sharing as provided in section 10 of this act.

(3) Moneys in the secured benefit fund shall be held as follows:

(a) Fifty percent of the annual revenues from public insurance contributions under subsection (2)(a) of this section collected for calendar years beginning on or after January 1, 1995, shall be held in a trust account, to be invested by the state investment board. Such revenues shall remain in the trust account, until the year 2010, at which time the board may transfer moneys to the current expenditure account as it deems necessary; and

(b) All of the revenues from contributions under subsection (2)(a) of this section collected for calendar years 1992, 1993, and 1994, and fifty percent of the revenues from contributions under subsection (2)(a) of this section collected for calendar years beginning on or after January 1, 1995, and the remainder of funds deposited in the fund, shall be held in a current expenditure account and a reserve account to support the current expenditure account, at a level to be determined by the board. Funds held in the current expenditure account shall constitute the global budget for program services.

(4)(a) Insurance contributions under subsection (2)(a) of this section shall become due and be paid under rules adopted by the commissioner of the employment security department. Contributions shall be collected on a semi-annual basis, with the first period consisting of the six calendar months ending June 30, and the second period consisting of the six calendar months ending December 31, of each calendar year. Up to one-half of the contribution may be deducted from the remuneration of individuals in the employ of the employer. Any deduction greater than one-half from individuals is in violation of this section and is unlawful, and is subject to penalty under Title 50 RCW for an unlawful deduction.

(b) For employers described in RCW 50.44.010 and 50.44.030 who have properly elected to make payments in lieu of contributions, employers who are required to make payments in lieu of contributions, and employers paying contributions under RCW 50.44.035, the contributions shall be paid according to rules adopted by the commissioner.

(c) The insurance contribution of each corporate officer, partner in a partnership, sole proprietor, or individual who is an employee for whom an insurance contribution is not required under Title 50 RCW or who earns self-employment or partnership income which is essentially equivalent to wages as defined in RCW 50.04.320 shall be determined according to rules adopted by the commissioner of the employment security department. The rules shall include provisions that require contributions on remuneration that is comparable to the wages subject to contributions under subsection (5) of this section.

(5)(a) No contribution shall be paid on wages of any individual earning wages of less than one thousand five hundred dollars per calendar quarter. The contribution rate applicable to wages paid shall be:

- (i) 0.10 percent for the period of January 1, 1992, through December 31, 1992;
- (ii) 0.20 percent for the period of January 1, 1993, through December 31, 1993;
- (iii) 0.30 percent for the period of January 1, 1994, through December 31, 1994;
- (iv) 0.40 percent for the period of January 1, 1995, through December 31, 1995; and
- (v) 0.50 percent for any calendar year that begins on or after January 1, 1996.

(b) "Wages" under this subsection shall include all remuneration for contribution purposes as defined under RCW 50.04.320.

(6) In the payment of any insurance contribution under this section, a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to one cent.

(7) Late reports or contributions, and penalties and interest shall be determined and administered as provided under Title 50 RCW. In administering this section, the commissioner of the employment security department shall have the same authority as is provided for administering and enforcing the collection of contributions under Title 50 RCW.

NEW SECTION. Sec. 21. PRIVATE LONG-TERM CARE INSURANCE. The private long-term care insurance commission is hereby established. The commission shall be composed of seven members who shall be appointed by the insurance commissioner. Commission members shall be reimbursed for travel expenses pursuant to RCW 43.03.050 and 43.03.060.

(2) The commission shall review and make recommendations regarding the role of long-term care insurance in the new system. The commission shall report its recommendations to the board, the insurance commissioner, and appropriate committees of the legislature on or before December 1, 1992.

NEW SECTION. Sec. 22. IN-MIGRATION. (1) The legislature intends that the program be available to established residents of Washington state.

(2) To discourage relocation of functionally disabled persons from other states into Washington to obtain program benefits, the board shall require, as condition of receipt of program benefits by functionally disabled persons who have not resided in Washington state for a continuous period of twelve months prior to their application for program benefits, that these individuals pay a monthly premium for program benefits actuarially determined based upon the level and type of benefits available through the program.

#### "PART V

#### TRANSITION PERIOD PENDING FULL IMPLEMENTATION OF THE PROGRAM"

NEW SECTION. Sec. 23. The legislature recognizes that state-wide implementation of the community-based long-term care secured benefit program will require four to five years, to allow completion of necessary coordination with the federal government and sufficient testing of regional administrative models. It is the intent of the legislature that, during the transition from enactment and initial collection of insurance contributions pursuant to section 20 of this act, to state-wide implementation, such insurance contributions for calendar years 1992, 1993, and 1994, and up to fifty percent of such insurance contributions for calendar years beginning 1995, be made available for expansion of community-based long-term care and support services that support families, communities, individuals, and agencies providing community-based long-term care and support services to functionally disabled persons. The legislature further intends that expenses for regional model administrative projects, including administration, monitoring, data collection, and evaluation also be derived from these insurance contributions. The service expansions authorized by this act shall be temporary measures pending state-wide implementation of the community-based long-term care secured benefit program, at which

time such expansions shall be incorporated, in whole or in part, into the state-wide program.

**NEW SECTION.** Sec. 24. (1) During the transitional period from the effective date of this section until state-wide implementation of the program, the legislature shall appropriate, and the executive shall administer, all community-based long-term care funds except those necessary to administer and provide services through regional administrative model projects, and matching funds and program beneficiary cost sharing collected through such projects.

(2) Regional model administrative project funds shall be administered by the board. Regional model administrative projects shall receive funding for the number of functionally disabled persons in the county or counties served by the project in an amount equal to the per capita community-based long-term care expenditures for functionally disabled persons currently receiving state and federally funded services, and such additional funds determined by the board to be necessary for administration of the projects, including monitoring, data collection, and evaluation.

(3) Upon completion and evaluation of the regional administrative model projects and enactment of legislation establishing the state-wide administrative structure of the program, all community-based long-term care funds shall be deposited into the secured benefit fund pursuant to section 20 of this act and administered by the board.

Sec. 25. RCW 74.09.510 and 1989 1st ex.s. c 10 s 8 are each amended to read as follows:

Medical assistance may be provided in accordance with eligibility requirements established by the department of social and health services, as defined in the social security Title XIX state plan for mandatory categorically needy persons and: (1) Individuals who would be eligible for cash assistance except for their institutional status; (2) individuals who are under twenty-one years of age, who would be eligible for aid to families with dependent children, but do not qualify as dependent children and who are in (a) foster care, (b) subsidized adoption, (c) an intermediate care facility or an intermediate care facility for the mentally retarded, or (d) inpatient psychiatric facilities; (3) the aged, blind, and disabled who: (a) Receive only a state supplement, or (b) would not be eligible for cash assistance if they were not institutionalized; (4) individuals who would be eligible for but choose not to receive cash assistance; (5) individuals who are enrolled in managed health care systems, who have otherwise lost eligibility for medical assistance, but who have not completed a current six-month enrollment in a managed health care system, and who are eligible for federal financial participation under Title XIX of the social security act; (6) children and pregnant women allowed by federal statute for whom funding is appropriated; (7) disabled children eighteen years of age or younger who require a level of care provided in a hospital, nursing home, or intermediate care facility for the mentally retarded and can be cared for in the community for less than the cost of such institutional care, if such a child would be eligible for medical assistance if he or she were in a medical institution; and ~~((7))~~ (8) other individuals eligible for medical services under RCW 74.09.035 and 74.09.700 for whom federal financial participation is available under Title XIX of the social security act.

Sec. 26. RCW 74.09.520 and 1990 c 33 s 594 and 1990 c 25 s 1 are each reenacted and amended to read as follows:

(1) The term "medical assistance" may include the following care and services: (a) Inpatient hospital services; (b) outpatient hospital services; (c) other laboratory and x-ray services; (d) skilled nursing home services; (e) physicians' services, which shall include prescribed medication and instruction on birth control devices; (f) medical care, or any other type of remedial care as may be established by the secretary; (g) home health care services; (h) private duty nursing services; (i) dental services; (j) physical therapy and related services; (k) prescribed drugs, dentures, and prosthetic devices; and eyeglasses prescribed by a physician skilled in diseases of the eye or by an optometrist, whichever

the individual may select; (l) personal care services, as provided in this section; (m) hospice services; (n) community-supported living arrangements for developmentally disabled persons; (o) other diagnostic, screening, preventive, and rehabilitative services; and ~~((o))~~ (p) like services when furnished to a handicapped child by a school district as part of an individualized education program established pursuant to RCW 28A.155.010 through 28A.155.100. For the purposes of this section, the department may not cut off any prescription medications, oxygen supplies, respiratory services, or other life-sustaining medical services or supplies.

"Medical assistance," notwithstanding any other provision of law, shall not include routine foot care, or dental services delivered by any health care provider, that are not mandated by Title XIX of the social security act unless there is a specific appropriation for these services. Services included in an individualized education program for a handicapped child under RCW 28A.155.010 through 28A.155.100 shall not qualify as medical assistance prior to the implementation of the funding process developed under RCW 74.09.524.

(2) The department shall amend the state plan for medical assistance under Title XIX of the federal social security act to include personal care services, as defined in 42 C.F.R. 440.170(f), in the categorically needy program.

(3) The department shall adopt, amend, or rescind such administrative rules as are necessary to ensure that Title XIX personal care services are provided to eligible persons in conformance with federal regulations.

(a) These administrative rules shall include financial eligibility indexed according to the requirements of the social security act providing for medicaid eligibility.

(b) The rules shall require clients be assessed as having a medical condition requiring assistance with personal care tasks. Plans of care must be approved by a physician and reviewed by a nurse every ninety days.

(4) The department shall design and implement a means to assess the level of functional disability of persons eligible for personal care services under this section. The personal care services benefit shall be provided to the extent funding is available according to the assessed level of functional disability. Any reductions in services made necessary for funding reasons should be accomplished in a manner that assures that priority for maintaining services is given to persons with the greatest need as determined by the assessment of functional disability.

(5) The department shall report to the appropriate fiscal committees of the legislature on the utilization and associated costs of the personal care option under Title XIX of the federal social security act, as defined in 42 C.F.R. 440.170(f), in the categorically needy program. This report shall be submitted by January 1, 1990, and submitted on a yearly basis thereafter.

(6) Effective July 1, 1989, the department shall offer hospice services in accordance with available funds. The department shall provide a complete accounting of the costs of providing hospice services under this section by December 20, 1990. The report shall include an assessment of cost savings which may result by providing hospice to persons who otherwise would use hospitals, nursing homes, or more expensive care. The hospice benefit under this section shall terminate on June 30, 1991, unless extended by the legislature.

Sec. 27. RCW 74.09.700 and 1989 c 87 s 3 are each amended to read as follows:

(1) To the extent of available funds, medical care may be provided under the limited casualty program to persons not otherwise eligible for medical assistance or medical care services who are medically needy as defined in the social security Title XIX state plan and medical indigents in accordance with medical eligibility requirements established by the department. This includes residents of skilled nursing homes, intermediate care facilities, and intermediate care facilities for the mentally retarded who are aged, blind,

or disabled as defined in Title XVI of the federal social security act and whose income exceeds three hundred percent of the federal supplement security income benefit level.

(2) Determination of the amount, scope, and duration of medical coverage under the limited casualty program shall be the responsibility of the department, subject to the following:

(a) Only inpatient hospital services; outpatient hospital and rural health clinic services; physicians' and clinic services; prescribed drugs, dentures, prosthetic devices, and eyeglasses; skilled nursing home services, intermediate care facility services, and intermediate care facility services for the mentally retarded; home health services; other laboratory and x-ray services; rehabilitative services; medically necessary transportation; and other services for which funds are specifically provided in the omnibus appropriations act shall be covered;

(b) Personal care and hospice services shall be covered for persons who are medically needy as defined in the social security Title XIX state plan;

(c) Persons who are medically indigent and are not eligible for a federal aid program shall satisfy a deductible of not less than one hundred dollars nor more than five hundred dollars in any twelve-month period;

~~((e))~~ (d) Medical care services provided to the medically indigent and received no more than seven days prior to the date of application shall be retroactively certified and approved for payment on behalf of a person who was otherwise eligible at the time the medical services were furnished: PROVIDED, That eligible persons who fail to apply within the seven-day time period for medical reasons or other good cause may be retroactively certified and approved for payment.

(3) The department shall establish standards of assistance and resource and income exemptions. All nonexempt income and resources of limited casualty program recipients shall be applied against the cost of their medical care services.

NEW SECTION. Sec. 28. A new section is added to chapter 74.09 RCW to read as follows:

The department shall make the following changes in the community options program entry system program waiver, to the extent such changes are permissible under section 1915(c) of the federal social security act, to increase that program's ability to meet the community-based long-term care needs of functionally disabled persons who would otherwise require nursing-home care:

(1) Cover services such as assisted living housing units, adult day care, respite care, home-delivered meals, home modifications, and electronic emergency response systems;

(2) Change the monthly service expenditure lid so that, in the aggregate, the cost of services to recipients does not exceed the cost of nursing-home care, rather than applying such test to each such individual recipient; and

(3) Provide that the personal maintenance costs that are covered with a recipient's own income are no longer counted against the monthly service expenditure lid on the cost of their care plan.

NEW SECTION. Sec. 29. A new section is added to chapter 71A.12 RCW to read as follows:

For each developmentally disabled person who is moved from a residential habilitation center into the community, a biennial amount adjusted for inflation equivalent to the amount of state funds that would have been spent to care for that individual in the residential habilitation center shall be deposited into the secured benefit fund established pursuant to section 20 of this act, to finance long-term care services in the community where the individual resides.

NEW SECTION. Sec. 30. A new section is added to chapter 74.09 RCW to read as follows:

The department shall make every practicable effort to develop, in cooperation with one or more health maintenance organizations registered pursuant to chapter 48.46 RCW,

a request for a demonstration waiver under the federal social security act to establish a social health maintenance organization.

NEW SECTION. Sec. 31. SEVERABILITY. 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. 32. EFFECTIVE DATE. (1) Sections 1 through 22, 24, and 31 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect July 1, 1991.

(2) Sections 23, 25 through 30, and 36 of this act shall take effect July 1, 1992.

NEW SECTION. Sec. 33. Part and section headings as used in this act do not constitute any part of the law.

NEW SECTION. Sec. 34. Sections 1 through 22, 24, and 31 of this act shall constitute a new chapter in Title 70 RCW.

NEW SECTION. Sec. 35. The sum of ..... dollars (the essential requirements level of state funding), or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1993, from the general fund to the community-based long-term care secured benefit program board for the purposes of sections 1 through 22 and 24 of this act.

NEW SECTION. Sec. 36. The sum of ..... dollars, or as much thereof as may be available in the secured benefit fund from public contributions deposited pursuant to section 20 of this act for the period of January 1, 1992, through June 30, 1993, after deducting planning grants for regional administrative model projects pursuant to section 14 of this act, is appropriated for the period beginning July 1, 1992, and ending June 30, 1993, from the secured benefit fund to the department of social and health services, to carry out sections 23 and 25 through 30 of this act.

(1) Of this amount, ..... dollars is provided solely for the medicaid expansions provided in sections 25 through 28 of this act.

(2) Remaining funds shall be appropriated for community-based long-term care and support services as determined in the biennial operating budget.

On page 1, line 3 of the title, after "persons;" strike the remainder of the title and insert "amending RCW 74.09.510 and 74.09.700; reenacting and amending RCW 74.09.520; adding a new chapter to Title 70 RCW; adding new sections to chapter 74.09 RCW; adding a new section to chapter 71A.12 RCW; creating new sections; prescribing penalties; making appropriations; providing effective dates; and declaring an emergency."

Signed by Representatives Wang, Chair; Fraser, Vice Chair; Appelwick; Belcher; Day; Leonard; Morris; Phillips; Rust; and Van Luven.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Brumsickle; Morton; and Silver.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1588 Prime Sponsor, Representative Pruitt: Regulating the board of accountancy. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill by Committee on State Government be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Revenue:

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 18.04.035 and 1986 c 295 s 2 are each amended to read as follows:

(1) There is created a board of accountancy for the state of Washington to be known as the Washington board of accountancy. The board shall consist of ~~((five))~~ seven members appointed by the governor. Members of the board shall include four persons who hold certified public accountant certificates and have been in public practice as certified public accountants in this state continuously for the previous ten years and two persons who have held a valid certified public accountant's certificate in this state for at least ten years. The ~~((fifth))~~ seventh member shall be the public member and shall be a person who is qualified to judge whether the qualifications, activities, and professional practice of those regulated under this chapter conform with standards to protect the public interest.

(2) The members of the board of accountancy shall be appointed by the governor to a term of three years. Vacancies occurring during a term shall be filled by appointment for the unexpired term. Upon the expiration of a member's term of office, the member shall continue to serve until a successor has been appointed and has assumed office. The governor shall remove from the board any member whose certificate or license to practice has been revoked or suspended and may, after hearing, remove any member of the board for neglect of duty or other just cause. No person who has served two successive complete terms is eligible for reappointment. Appointment to fill an unexpired term is not considered a complete term.

Sec. 2. RCW 18.04.045 and 1986 c 295 s 3 are each amended to read as follows:

(1) The board shall annually elect a ~~((chairman))~~ chairperson, a vice ~~((chairman))~~ chairperson, and a secretary from its members.

(2) The board may adopt and amend rules under chapter 34.05 RCW for the orderly conduct of its affairs and for the administration of this chapter.

(3) A majority of the board constitutes a quorum for the transaction of business.

(4) The board shall have a seal which shall be judicially noticed.

(5) The board shall keep records of its proceedings, and of any proceeding in court arising from or founded upon this chapter. Copies of these records certified as correct under the seal of the board are admissible in evidence as tending to prove the content of the records.

(6) The governor shall appoint an executive director of the board to serve at the pleasure of the governor. The executive director may employ such personnel as is appropriate for carrying out this chapter. The executive director shall be a certified public accountant licensed in the state of Washington. The board may ~~((employ personnel and))~~ arrange for assistance as it requires to perform its duties. Individuals or committees assisting the board under this subsection (6) constitute volunteers for purposes of chapter 4.92 RCW.

(7) Each member of the board shall receive compensation as provided under RCW 18.04.080.

(8) The board shall file an annual report of its activities with the governor. The report shall include, but not be limited to, a statement of all receipts and disbursements. Upon request, the board shall mail a copy of each annual report to any member of the public.

Sec. 3. RCW 18.04.055 and 1986 c 295 s 4 are each amended to read as follows:

The board shall prescribe rules consistent with this chapter as necessary to implement this chapter. Included may be:

(1) Rules of procedure to govern the conduct of matters before the board;

(2) Rules of professional conduct to establish and maintain high standards of competence and integrity in the profession;

(3) Rules specifying the manner and circumstances of the use by holders of certificates who do not also hold licenses under this chapter of the titles "certified public accountant" and "CPA";

(4) Educational requirements to (~~set for an~~) write the examination or for the issuance of the certificate or license of certified public accountant;

((44)) (5) Rules designed to ensure that certified public accountants' "opinions on financial statements" meet the definitional requirements for that term as specified in RCW 18.04.025;

((55)) (6) Requirements for continuing professional education to maintain or improve the professional competence of certificate and license holders as a condition to maintaining their certificate or license to practice under RCW 18.04.215;

((66)) (7) Regulations governing sole proprietors, partnerships, and corporations practicing public accounting including, but not limited to, rules concerning their style, name, title, and affiliation with any other organization, and establishing reasonable practice standards to protect the public interest;

((77)) (8) The board may by rule implement a quality assurance review program as a means to monitor licensees' quality of practice and compliance with professional standards. The board may exempt from such program, licensees who undergo periodic peer reviews in programs of the American Institute of Certified Public Accountants, National Association of State Boards of Accountancy, or other programs recognized and approved by the board by rule((-);

((88)) (9) The board may by rule require firms to obtain professional liability insurance if in the board's discretion such insurance provides additional and necessary protection for the public; and

((99)) (10) Any other rule which the board finds necessary or appropriate to implement this chapter.

Sec. 4. RCW 18.04.295 and 1986 c 295 s 11 are each amended to read as follows:

The board of accountancy shall have the power to revoke, suspend, or refuse to renew the certificate and/or license of any certified public accountant for any of the following causes:

(1) Fraud or deceit in obtaining a certificate as a certified public accountant, or in obtaining a license to practice public accounting under RCW 18.04.215;

(2) Dishonesty, fraud, or negligence in the practice of public accounting;

(3) A violation of any provision of this chapter;

(4) A violation of a rule of professional conduct promulgated by the board under the authority granted by this chapter;

(5) Conviction of a crime or an act constituting a crime under:

(a) The laws of this state;

(b) The laws of another state, and which, if committed within this state, would have constituted a crime under the laws of this state; or

(c) Federal law;

(6) Cancellation, revocation, suspension, or refusal to renew the authority to practice as a certified public accountant by any other state for any cause other than failure to pay a fee or to meet the requirements of continuing education in the other state;

(7) Suspension or revocation of the right to practice before any state or federal agency.

Sec. 5. RCW 18.04.345 and 1986 c 295 s 15 are each amended to read as follows:

(1) No person may hold himself or herself out to the public, or assume or use the designation "certified public accountant" or "CPA" or any other title, designation, words, letters, abbreviation, sign, card, or device tending to indicate that the person is a certified public accountant or CPA unless the person has received a certificate as a certified public

accountant, holds a valid license to practice under RCW 18.04.215, and all of the person's offices in this state for the practice of public accounting are maintained and registered under RCW 18.04.205.

(2) No firm may hold itself out to the public, or assume or use the designation "certified public accountant" or "CPA" or any other title, designation, words, letters, abbreviation, sign, card, or device tending to indicate that the firm is composed of certified public accountants or CPAs, unless the firm is licensed under RCW 18.04.195, holds a valid license to practice under RCW 18.04.215, and all offices of the firm in this state for the practice of public accounting are maintained and registered under RCW 18.04.205.

(3) No person, partnership, or corporation may hold himself, herself, or itself out to the public, or assume or use along, or in connection with his, hers, or its name, or any other name the title or designation "certified accountant," "chartered accountant," "licensed accountant," "public accountant," or any other title or designation likely to be confused with "certified public accountant" or any of the abbreviations "CA," "LA," or "PA," or similar abbreviations likely to be confused with "CPA." However, nothing in this chapter prohibits use of the title "accountant" by any person regardless of whether the person has been granted a certificate or holds a license under this chapter.

(4) No person may sign, affix, or associate his or her name or any trade or assumed name used by the person in his or her business to any report designated as an "audit," "review," or "compilation," unless the person holds a biennial license to practice under RCW 18.04.215 and all of the person's offices in this state for the practice of public accounting are maintained and licensed under RCW 18.04.205.

(5) No person may sign, affix, or associate a firm name to any report designated as an "audit," "review," or "compilation," unless the firm is licensed under RCW 18.04.195 and 18.04.215, and all of its offices in this state for the practice of public accounting are maintained and registered under RCW 18.04.205.

(6) No person, partnership, or corporation not holding a license to practice under RCW 18.04.215 may hold himself, herself, or itself out to the public as an "auditor" with or without any other description or designation by use of such word on any sign, card, letterhead, or in any advertisement or directory.

~~(7) ((Nothing contained in this chapter prohibits any person who is the holder of a valid certified public accountant certificate from assuming or using the designation "certified public accountant" or "CPA" or any other title, designation, words, letters, sign, card, or device tending to indicate that the person is a certified public accountant.~~

~~(8))~~ No person may assume or use the designation "certified public accountant" or "CPA" in conjunction with names indicating or implying that there is a partnership or corporation, if there is in fact no bona fide partnership or corporation registered under RCW 18.04.195.

~~((9))~~ (8) No person, partnership, or corporation holding a license under RCW 18.04.215 may hold himself, herself, or itself out to the public in conjunction with the designation "and Associates" or "and Assoc." unless he or she has in fact a partner or employee who holds a license under RCW 18.04.215.

~~((10))~~ (9) No person, partnership, or corporation may hold himself, herself, or itself out to the public for the practice of public accounting unless the person, partnership, or corporation holds a license to practice under RCW 18.04.215 and all of his or its offices in this state are maintained and registered under RCW 18.04.205.

Sec. 6. RCW 18.04.350 and 1986 c 295 s 16 are each amended to read as follows:

(1) Nothing in this chapter prohibits any person not a certified public accountant from serving as an employee of, or as assistant to, a certified public accountant or partnership composed of certified public accountants or corporation of certified public accountants holding a valid license under RCW 18.04.215. However, the employee or assistant shall not issue any accounting or financial statement over his or her name.

(2) Nothing in this chapter prohibits a certified public accountant registered in another state, or any accountant of a foreign country holding a certificate, degree or license which permits him to practice therein from temporarily practicing in this state on professional business incident to his regular practice.

(3) Nothing in this chapter prohibits a certified public accountant, a partnership, or corporation of certified public accountants, or any of their employees from disclosing any data in confidence to other certified public accountants, peer review teams, partnerships, or corporations of public accountants engaged in conducting peer reviews, or any one of their employees in connection with peer reviews of that accountant's accounting and auditing practice conducted under the auspices of recognized professional associations.

(4) Nothing in this chapter prohibits a certified public accountant, a partnership, or corporation of certified public accountants, or any of their employees from disclosing any data in confidence to any employee, representative, officer, or committee member of a recognized professional association, or to the board of accountancy, or any of its employees or committees in connection with a professional investigation held under the auspices of recognized professional associations or the board of accountancy.

(5) Nothing in this chapter prohibits any officer, employee, partner, or principal of any organization:

(a) From affixing his or her signature to any statement or report in reference to the affairs of the organization with any wording designating the position, title, or office which he or she holds in the organization; or

(b) From describing himself or herself by the position, title, or office he or she holds in such organization.

(6) Nothing in this chapter prohibits any person, or partnership or corporation composed of persons not holding a license under RCW 18.04.215 from offering or rendering to the public bookkeeping, accounting, and tax services, including devising and installing systems, financial information or data, or preparing financial statements, written statements describing how such financial statements were prepared, or similar services, provided that persons, partnerships, or corporations not holding a license under RCW 18.04.215 who offer or render these services do not designate any written statement as an "audit report," "review report," or "compilation report," do not issue any written statement which purports to express or disclaim an opinion on financial statements which have been audited, and do not issue any written statement which expresses assurance on financial statements which have been reviewed.

(7) Nothing in this chapter prohibits any act of or the use of any words by a public official or a public employee in the performance of his or her duties.

(8) Nothing contained in this chapter prohibits any person who holds only a valid certified public accountant certificate from assuming or using the designation "certified public accountant" or "CPA" or any other title, designation, words, letters, sign, card, or device tending to indicate the person is a certified public accountant. However, the person may not hold himself or herself out to the public as engaged in the practice of public accounting unless that person holds a valid license in addition to the certificate under RCW 18.04.215.

NEW SECTION. Sec. 7. 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 shall take effect on July 1, 1991. The executive director of the board may take such steps as are necessary to ensure that this act is implemented on its effective date.

On page 1, line 1 of the title, after "accountancy," strike the remainder of the title and insert "amending RCW 18.04.035, 18.04.045, 18.04.055, 18.04.295, 18.04.345, and 18.04.350; providing an effective date; and declaring an emergency."

Signed by Representatives Wang, Chair; Fraser, Vice Chair; Appelwick; Belcher; Day; Leonard; Morris; Phillips; and Rust.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Brumsickle; Morton; Silver; and Van Luven.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1599 Prime Sponsor, Representative Basich: Providing extended unemployment benefits for certain lumber and wood products workers. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Commerce & Labor be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

On page 2, beginning on line 27, after "county" strike all material through "year" on page 3, line 8, and insert "has: (A) An annual insured unemployment rate that is twenty percent or more above the state annual insured unemployment rate for the prior calendar year; and (B) a lumber and wood products employment location quotient that is at least twice the state average during the prior twelve-month period"

On page 4, beginning on line 1, after "wages in" strike all material through "act" on line 3 and insert "six hundred eighty hours of lumber and wood products employment"

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Wang; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; McLean; and Nealey.

Excused: Representatives Holland; May; Mielke; and Vance.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1608 Prime Sponsor, Representative Leonard: Improving services for children. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Human Services be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The department of social and health services may conduct an assessment of the children in its care to determine the appropriate level of

residential and treatment services required by these children. Any such assessment shall be based on a statistically valid sample of all children in the department's care. The department shall report the results of the assessment to the appropriate standing committees of the legislature by September 15, 1992. The department shall submit recommendations to the appropriate standing committees of the legislature on reallocating funds for children's services by December 1, 1992.

NEW SECTION. Sec. 2. A new section is added to chapter 74.13 RCW to read as follows:

The department of social and health services may implement a therapeutic family home program for up to fifteen youth in the custody of the department under chapter 13.34 RCW. The program shall strive to develop and maintain a mutually reinforcing relationship between the youth and the therapeutic staff associated with the program.

Sec. 3. RCW 74.13.032 and 1979 c 155 s 78 are each amended to read as follows:

(1) The department shall establish, by contracts with private vendors, not less than eight regional crisis residential centers, which shall be structured group care facilities licensed under rules adopted by the department. ~~((Each regional center shall have an average of at least four adult staff members and in no event less than three adult staff members to every eight children.))~~ The staff shall be trained so that they may effectively counsel juveniles admitted to the centers, provide treatment, supervision, and structure to the juveniles, and carry out the responsibilities outlined in RCW 13.32A.090.

(2) The department shall, in addition to the regional facilities established under subsection (1) of this section, establish not less than thirty additional crisis residential centers pursuant to contract with licensed private group care or specialized foster home facilities. The staff at the facilities shall be trained so that they may effectively counsel juveniles admitted to the centers, provide treatment, supervision, and structure to the juveniles, and carry out the responsibilities stated in RCW 13.32A.090. The responsibilities stated in RCW 13.32A.090 may, in any of the centers, be carried out by the department.

Crisis residential facilities shall be operated as semi-secure facilities.

Sec. 4. RCW 74.13.035 and 1979 c 155 s 81 are each amended to read as follows:

Crisis residential centers shall compile yearly records which shall be transmitted to the department and which shall contain information regarding population profiles of the children admitted to the centers during each past calendar year. Such information shall include but shall not be limited to the following:

- (1) The number, age, and sex of children admitted to custody;
- (2) Who brought the children to the center;
- (3) Services provided to children admitted to the center;
- (4) The circumstances which necessitated the children being brought to the center;
- (5) The ultimate disposition of cases;
- (6) The number of children admitted to custody who ran away from the center and their ultimate disposition, if any;
- (7) Length of stay.

The department may require the provision of additional information and may require each center to provide all such necessary information in a uniform manner.

~~((A center may, in addition to being licensed as such, also be licensed as a family foster home or group care facility and may house on the premises juveniles assigned for foster or group care.))~~

NEW SECTION. Sec. 5. The legislature finds that a destructive lifestyle of drug and street gang activity is rapidly becoming prevalent among some of the state's youths. A significant portion of these gang and drug-involved youths are African American youths as well as the youths of other ethnic and cultural minority groups. Gang and drug-involved youths are more likely to become addicted to drugs or alcohol, live in poverty, experience high unemployment, be incarcerated, and die of violence than other youths.

NEW SECTION. Sec 6. A new section is added to chapter 13.40 RCW to read as follows:

(1) The department of social and health services may contract with a community-based nonprofit organization to establish a three-step transitional treatment program for gang and drug-involved juvenile offenders committed to the custody of the department under chapter 13.40 RCW. Any such program shall provide six to twenty-four months of treatment. The program shall emphasize the principles of self-determination, unity, collective work and responsibility, cooperative economics, and creativity. The program shall be culturally relevant and appropriate and shall include:

(a) A culturally relevant and appropriate institution-based program that provides comprehensive drug and alcohol services, individual and family counseling, and a wilderness experience of constructive group living, rigorous physical exercise, and academic studies;

(b) A culturally relevant and appropriate community-based structured group living program that focuses on individual goals, positive community involvement, coordinated drug and alcohol treatment, coordinated individual and family counseling, academic and vocational training, and employment in apprenticeship, internship, and entrepreneurial programs; and

(c) A culturally relevant and appropriate transitional group living program that provides support services, academic services, and coordinated individual and family counseling.

(2) Participation in any such program shall be on a voluntary basis.

(3) The department shall adopt rules as necessary to implement any such program.

NEW SECTION. Sec. 7. (1) The department of social and health services may contract with an independent research organization to conduct an evaluation of any program that is established under section 6 of this act. The evaluation shall include an analysis of the race and ethnicity of juvenile offenders served, the offenses for which the youths were committed, the services provided, the effects of the program on educational and vocational achievement, and the rate of recidivism for these youth.

(2) Any organization selected shall provide a preliminary report on the program to appropriate standing committees of the senate and house of representatives by September 15, 1992. Any final report shall be submitted to appropriate standing committees of the senate and house of representatives by January 15, 1993.

On page 1, line 1 of the title, after "services;" strike the remainder of the title and insert "amending RCW 74.13.032 and 74.13.035; adding a new section to chapter 13.40 RCW; adding a new section to chapter 74.13 RCW; and creating new sections."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Holland and Lisk.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1609 Prime Sponsor, Representative Leonard: Developing additional mental health services for children. Reported by Committee on Appropriations

**MAJORITY recommendation:** The substitute bill by Committee on Human Services be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Sec. 1. The legislature intends to encourage the development of community-based interagency collaborative efforts to plan for and provide mental health services to children in a manner that coordinates existing categorical children's mental health programs and funding, is sensitive to the unique cultural circumstances of children of color, eliminates duplicative case management, and to the greatest extent possible, blends categorical funding to offer more service options to each child.

**NEW SECTION.** Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Agency" means a state or local governmental entity or a private not-for-profit organization.

(2) "Child" means a person under eighteen years of age, except as expressly provided otherwise in federal law.

(3) "County authority" means the board of county commissioners or county executive.

(4) "Department" means the department of social and health services.

(5) "Early periodic screening, diagnosis, and treatment" means the component of the federal medicaid program established pursuant to 42 U.S.C. Sec. 1396d(r), as amended.

(6) "Regional support network" means a county authority or group of county authorities that have entered into contracts with the secretary pursuant to chapter 71.24 RCW.

(7) "Secretary" means the secretary of social and health services.

#### "PART I

#### INVENTORY OF CHILDREN'S MENTAL HEALTH SERVICES"

**NEW SECTION.** Sec. 3. (1) The office of financial management shall provide the following information to the appropriate committees of the legislature on or before December 1, 1991, and update such information biennially thereafter:

(a) An inventory of state and federally funded programs providing mental health services to children in Washington state. For purposes of the inventory, "children's mental health services" shall be broadly construed to include services related to children's mental health provided through education, children and family services, juvenile justice, mental health, health care, alcohol and substance abuse, and developmental disabilities programs, such as: The primary intervention program; treatment foster care; the fair start program; therapeutic child care and day treatment for children in the child protective services system, as provided in RCW 74.14B.040; family reconciliation services counseling, as provided in chapter 13.32A RCW; the community mental health services act, as provided in chapter 71.24 RCW; mental health services for minors, as provided in chapter 71.34 RCW; mental health services provided by the medical assistance program, limited casualty program for the medically needy and children's health program, as provided in chapter 74.09 RCW; counseling for delinquent children, as provided in RCW 72.05.170; mental health service provided by child welfare services, as provided in chapter 74.13 RCW; and services to emotionally disturbed and mentally ill children, as provided in chapter 74.14A RCW.

(b) For each program or service inventoried pursuant to (a) of this subsection:

- (i) Statutory authority;
  - (ii) Level and source of funding state-wide and for each county and school district in the state during the biennium ending June 30, 1991, to the extent such information is available;
  - (iii) Agency administering the service state-wide and description of how administration and service delivery are organized and provided at the regional and local level;
  - (iv) Programmatic or financial eligibility criteria;
  - (v) Characteristics of, and number of children served state-wide and in each county and school district during the biennium ending June 30, 1991, to the extent such information is available;
  - (vi) Number of children of color served, by race and nationality, and number and type of minority mental health providers, by race and nationality, in each regional support network area, to the extent such information is available; and
  - (vii) Statutory changes necessary to remove categorical restrictions in the program or service, including federal statutory or regulatory changes.
- (2) The office of financial management, in consultation with the department, shall develop a plan and criteria for the use of early periodic screening, diagnosis, and treatment services related to mental health that includes at least the following components:
- (a) Criteria for screening and assessment of mental illness and emotional disturbance;
  - (b) Criteria for determining the appropriate level of medically necessary services a child receives, including but not limited to development of a multidisciplinary plan of care when appropriate, and prior authorization for receipt of mental health services;
  - (c) Qualifications for children's mental health providers;
  - (d) Other cost control mechanisms, such as managed care arrangements and prospective or capitated payments for mental health services; and
  - (e) Mechanisms to ensure that federal medicaid matching funds are obtained for services inventoried pursuant to subsection (1) of this section, to the greatest extent practicable.

In developing the plan, the office of financial management shall provide an opportunity for comment by the major child-serving systems and regional support networks. The plan shall be submitted to appropriate committees of the legislature on or before December 1, 1991.

## "PART II

### CHILDREN'S MENTAL HEALTH SERVICES DELIVERY SYSTEMS"

NEW SECTION. Sec. 4. (1) On or before January 1, 1992, each regional support network, or county authority in counties that have not established a regional support network, shall initiate a local planning effort to develop a children's mental health services delivery system.

(2) Representatives of the following agencies or organizations and the following individuals shall participate in the local planning effort:

- (a) Representatives of the department of social and health services in the following program areas: Children and family services, medical care, mental health, juvenile rehabilitation, alcohol and substance abuse, and developmental disabilities;
- (b) The juvenile courts;
- (c) The public health department or health district;
- (d) The school districts;
- (e) The educational service district serving schools in the county;
- (f) Head start or early childhood education and assistance programs;
- (g) Community action agencies; and
- (h) Children's services providers, including minority mental health providers.

(3) Parents of children in need of mental health services and parents of children of color shall be invited to participate in the local planning effort.

(4) The following information shall be developed through the local planning effort and submitted to the secretary:

(a) A supplement to the county's January 1, 1991, children's mental health services report prepared pursuant to RCW 71.24.049 to include the following data:

(i) The number of children in need of mental health services in the county or counties covered by the local planning effort, including children in school and children receiving services through the department of social and health services division of children and family services, division of developmental disabilities, division of alcohol and substance abuse, and division of juvenile rehabilitation, grouped by severity of their mental illness;

(ii) The number of such children that are underserved or unserved and the types of services needed by such children; and

(iii) The supply of children's mental health specialists in the county or counties covered by the local planning effort.

(b) A children's mental health services delivery plan that includes a description of the following:

(i) Children that will be served, giving consideration to children who are at significant risk of experiencing mental illness, as well as those already experiencing mental illness;

(ii) How appropriate services needed by children served through the plan will be identified and provided, including prevention and identification services;

(iii) How a lead case manager for each child will be identified;

(iv) How funding for existing services will be coordinated to create more flexibility in meeting children's needs. Such funding shall include the services and programs inventoried pursuant to section 3(1) of this act;

(v) How the children's mental health delivery system will incorporate the elements of the early periodic screening, diagnosis, and treatment services plan developed pursuant to section 3(2) of this act; and

(vi) How the children's mental health delivery system will coordinate with the regional support network information system developed pursuant to RCW 71.24.035(5)(g).

(5) In developing the children's mental health services delivery plan, every effort shall be made to reduce duplication in service delivery and promote complementary services among all entities that provide children's services related to mental health.

(6) The children's mental health services delivery plan shall address the needs of children of color through at least the following mechanisms:

(a) Outreach initiatives, services, and modes of service delivery that meet the unique needs of children of color;

(b) Services to children of color that are culturally relevant and acceptable, as well as linguistically accessible; and

(c) Increasing access to minority mental health providers in the children's mental health delivery system through contracts and subcontracts with minority providers, affirmative action employment efforts, or other appropriate actions.

**NEW SECTION.** Sec. 5. The office of financial management shall prepare proposed legislation that would require five percent of constitutionally available appropriated state general fund moneys for each of the programs and services inventoried pursuant to section 3(1) of this act, for the period beginning July 1, 1992, and ending June 30, 1993, to be deposited into a locally administered pooled account of flexible funds exempt from existing statutory and regulatory restrictions on the use of such funds, to meet the needs of children that cannot be met through existing categorical programs. Children's mental health services funded through basic education programs as provided in chapter 28A.150 RCW, and funded through the medical assistance program or the

limited casualty program for the medically needy as provided in chapter 74.09 RCW, shall be exempt from the pooled account. The proposed legislation shall be provided to appropriate committees of the legislature on or before December 1, 1991.

NEW SECTION. Sec. 6. Part headings as used in this act do not constitute any part of the law.

NEW SECTION. Sec. 7. Sections 1 through 4 of this act shall constitute a new chapter in Title 71 RCW.

NEW SECTION. Sec. 8. 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. 9. 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 shall take effect immediately.

NEW SECTION. Sec. 10. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by June 30, 1991, in the omnibus appropriations act, this act shall be null and void.

On page 1, line 1 of the title, after "children;" strike the remainder of the title and insert "adding a new chapter to Title 71 RCW; creating new sections; and declaring an emergency."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Belcher; Bowman; Braddock; Brekke; Dorn; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; Sprenkle; Valle; Vance; Wang; and Wineberry.

Excused: Representative Holland.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1657 Prime Sponsor, Representative Locke: Adopting a weighted student funding formula for common schools. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A funding formula advisory committee shall be established to consider the advantages and disadvantages of the state using a weighted student formula for allocating funds to school districts instead of using the current staff funding formula. The committee shall be composed of the following members: Two senators from the senate appointed by the president of the senate; two representatives from the house of representatives appointed by the speaker of the house of representatives; and representatives from the following groups to be appointed by the superintendent of public instruction: Parents, school administrators, teachers, classified staff, and school board members. Members of the committee shall select a chair from among its members. Staff support shall be provided by the office of the superintendent of public instruction.

NEW SECTION. Sec. 2. (1) The funding formula advisory committee, with the assistance of the superintendent of public instruction, shall develop a weighted student formula model or models that could be used by the state to replace the current staff funding formula. The models shall include weights that reflect the 1991-92 state-wide allocation for student classifications for kindergarten through third grade, fourth through twelfth grade, vocational education, skills center, identified handicapped education conditions, transitional bilingual education, small schools, the learning assistance program, highly capable students, and traffic safety. Weights also shall be established for students from low-income families in both rural and urban areas, and for students in large school districts. Other weights may be considered, including the cost of living in different regions of the state.

(2) Based on the weighted student models developed in subsection (1) of this section, the advisory committee shall analyze the advantages and disadvantages of using a weighted student formula instead of the current staff funding formula, including the potential additional cost of administering a weighted student formula. The committee also shall identify changes in law and rules that would be needed, and determine any additional costs to the state. Based on its findings, the committee shall provide recommendations as to whether the state should adopt a student funding formula, make changes in the existing formula, or take other actions.

(3) The advisory committee shall report its findings and recommendations to the house of representatives and senate education and fiscal committees by December 15, 1991.

NEW SECTION. Sec. 3. This act shall expire December 31, 1991.

NEW SECTION. Sec. 4. 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 shall take effect immediately.

On page 1, line 1 of the title, after "matters;" strike the remainder of the title and insert "creating new sections; providing an expiration date; and declaring an emergency."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Wang; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher and McLean.

Excused: Representatives Holland, May, Mielke and Vance.

Passed to Committee on Rules for second reading.

March 11, 1991

HB 1671 Prime Sponsor, Representative Fisher: Changing provisions relating to growth strategies. Reported by Committee on Transportation

MAJORITY recommendation: That Second Substitute House Bill No. 1671 be substituted therefor, and the second substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betrozoff, Ranking

Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Schmidt; Wilson; Wood; and Zellinsky.

MINORITY recommendation: Without recommendation. Signed by Representatives Chandler, Assistant Ranking Minority Member; and Heavey.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1674 Prime Sponsor, Representative Orr: Freezing tuition and fees at 1990 rates for Persian Gulf veterans. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass with the following amendment: On page 2, line 13, strike "1998" and insert "1994"

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Vance; and Wang.

Excused: Representatives Holland; Lisk; and Sprenkle.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1679 Prime Sponsor, Representative Orr: Creating the fire services trust fund. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1679 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Phillips; Rust; and Van Luven.

MINORITY recommendation: Do not pass. Signed by Representatives Morton and Silver.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1714 Prime Sponsor, Representative Riley: Providing support for families in timber communities. Reported by Committee on Appropriations

**MAJORITY recommendation:** The substitute bill by Committee on Human Services be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

On page 1, line 11, after "give" strike "distressed timber" and insert "timber-dependent"

On page 2, line 4, after "centers." insert "The council shall identify areas of need for such centers in timber-dependent communities and give priority to establishing centers in these locations. The council shall also give priority to applications from communities with high timber unemployment rates."

On page 3, after line 2, strike all of section 3

On page 1, line 2 of the title, after "43.121 RCW;" strike the remainder of the title and insert "and creating a new section."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Hine; Lisk; McLean; Peery; Pruitt; Rust; Sprenkle; Valle; Wang; and Wineberry.

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

Voting nay: Representative Fuhrman.

Excused: Representatives Holland, May, Mielke and Vance.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1721 Prime Sponsor, Representative May: Refunding contributions to the judicial retirement system. Reported by Committee on Appropriations

**MAJORITY recommendation:** That Substitute House Bill No. 1721 be substituted therefor, and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Appelwick; Bowman; Braddock; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Holland; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Valle; and Vance.

Excused: Representatives Morton, Assistant Minority Leader; Appelwick; Belcher; H. Sommers; Sprenkle; Wang; and Wineberry.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1723 Prime Sponsor, Representative Ogden: Creating the Washington fund for excellence in higher education program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Higher Education. (For committee amendment, see Journal, 39th Day, February 21, 1991.) Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Holland and Lisk.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1727 Prime Sponsor, Representative Appelwick: Changing provisions relating to interpreters in legal proceedings. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

Strike everything after the enacting clause and insert the following:

Sec. 1. RCW 2.42.110 and 1985 c 389 s 11 are each amended to read as follows:

As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise.

(1) "Hearing impaired person" means a person who, because of a hearing impairment, cannot readily understand or communicate in spoken language; and includes persons who are deaf, deaf and blind, or hard of hearing.

(2) "Qualified interpreter" means ~~((an interpreter who is certified by the registry of interpreters for the deaf with the certificate level specified below and who meets the requirements of RCW 2.42.130.~~

~~(a) For judicial proceedings involving a class A felony, use of the services of a qualified interpreter holding the specialist certificate legal is required.~~

~~(b) For other judicial, quasi-judicial, or administrative proceedings, use of the services of a qualified interpreter holding the specialist certificate legal, master's comprehensive skills certificate, or comprehensive skills certificate is required.~~

~~(c) For programs and activities other than judicial or administrative proceedings, the services of a qualified interpreter holding a partial certification shall be required. Efforts to obtain the services of a qualified interpreter holding the master's comprehensive certificate or comprehensive skills certificate shall be made before obtaining the services of a qualified interpreter holding the interpreting certificate and/or the transliterating certificate)) a visual language interpreter who is certified by the state or is certified by the registry of interpreters for the deaf to hold the comprehensive skills certificate or both certificates of interpretation and transliteration.~~

~~((((4))) (3) "Intermediary interpreter" means a hearing impaired interpreter who holds a reverse skills certificate by the state or is certified by the registry of interpreters for the~~

deaf with a reverse skills certificate, who meets the requirements of RCW 2.42.130, and who is able to assist in providing an accurate interpretation between spoken and sign language or between variants of sign language by acting as an intermediary between a hearing impaired person and a qualified hearing interpreter.

((5)) (4) "Appointing authority" means the presiding officer or similar official of any court, department, board, commission, agency, licensing authority, or legislative body of the state or of any political subdivision.

Sec. 2. RCW 2.42.130 and 1985 c 389 s 13 are each amended to read as follows:

(1) If a qualified interpreter for a hearing impaired person is required, the appointing authority shall request a qualified interpreter and/or an intermediary interpreter through the department of social and health services, office of deaf services, or through any community center for hearing impaired persons which operates an interpreter referral service. The office of deaf services and these community centers shall maintain an up-to-date list or lists of interpreters that are certified by the state and/or by the registry of interpreters for the deaf.

(2) The appointing authority shall make a preliminary determination, on the basis of testimony or stated needs of the hearing impaired person, that the interpreter is able in that particular proceeding, program, or activity to interpret accurately all communication to and from the hearing impaired person. If at any time during the proceeding, program, or activity, in the opinion of the hearing impaired person or a qualified observer, the interpreter does not provide accurate, impartial, and effective communication with the hearing impaired person the appointing authority shall appoint another qualified interpreter. No otherwise qualified interpreter who is a relative of any participant in the proceeding may be appointed.

Sec. 3. RCW 2.42.160 and 1985 c 389 s 16 are each amended to read as follows:

(1) A qualified and/or intermediary interpreter shall not, without the written consent of the parties to the communication, be examined as to any communication the interpreter interprets under circumstances where the communication is privileged by law.

(2) A qualified and/or intermediary interpreter shall not, without the written consent of the parties to the communication, be examined as to any information the interpreter obtains while interpreting pertaining to any proceeding then pending.

Sec. 4. RCW 2.42.170 and 1985 c 389 s 17 are each amended to read as follows:

A qualified and/or intermediary interpreter appointed under this chapter is entitled to a reasonable fee for services, including waiting time and reimbursement for actual necessary travel expenses. The fee for services for interpreters for hearing impaired persons shall be in accordance with standards established by the department of social and health services, office of deaf services.

On page 1, line 1 of the title, after "interpreters;" strike the remainder of the title and insert "and amending RCW 2.42.110, 2.42.130, 2.42.160, and 2.42.170."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; Sprenkle; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Spanel, Vice Chair; Holland; and Lisk.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1729 Prime Sponsor, Representative Wineberry: Preparing a plan for an expanded juror list. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

On page 2, after line 18, strike all of section 2

On page 1, line 1 of the title after "list;" strike the remainder of the title and insert "and creating a new section."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; May; Mielke; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Spanel, Vice Chair; Holland; Lisk; Peery; and Pruitt.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1747 Prime Sponsor, Representative Jones: Creating the homelessness prevention program. Reported by Committee on Appropriations

MAJORITY recommendation: That Substitute House Bill No. 1747 be substituted therefor, and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Hine; Lisk; McLean; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Wang; and Wineberry.

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

Excused: Representatives Holland; May; Mielke; and Vance.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1753 Prime Sponsor, Representative Valle: Making major changes to tobacco laws. Reported by Committee on Revenue

**MAJORITY recommendation:** The substitute bill by Committee on Health Care be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Revenue:

Strike everything after the enacting clause and insert the following:

**NEW SECTION.** Sec. 1. The legislature finds that the current system of health care and public health has been successful in identifying and reducing many communicable diseases that were major public health threats in years past but has not made efforts to reduce death and disability from preventable noncommunicable diseases. The leading cause of preventable death in our state is tobacco use. Washington business has provided leadership in the adult community by implementing smoke-free environments and cessation programs and Washington citizens eliminated tobacco use on public school property. However, the legislature recognizes the remaining high rate of tobacco-caused disease among ethnic minority populations, and smoking prevalence by youth and young pregnant women in our state. It is imperative that prevention efforts be developed and implemented.

The legislature acknowledges the United States surgeon general's findings that nicotine is the active drug in tobacco rendering it as addictive as heroin and cocaine. The vast majority of new smokers are teenagers or younger children. The earlier a child starts using tobacco the more likely that he or she will be unable to quit. Washington state has no organized effort to discourage children from using tobacco.

The legislature finds that access to tobacco by minors is a major problem. Youth obtain tobacco products with ease. Tobacco products that are provided free or at nominal charge are likely to fall into the hands of youth and the sale of single cigarettes are more affordable to youth. The present system of prohibiting sales of tobacco to minors has proven significantly defective. It is imperative to enforce the prohibition of sales to minors.

The legislature finds that scientific evidence demonstrates that environmental tobacco smoke causes lung cancer and is a contributor to indoor air pollution, increasing the risk of disease and disability among nonsmoking adults and children.

The most effective strategy for reducing the impact of tobacco use is through the collaborative efforts of educators, business, local, state, and tribal government officials, local health and community agencies, ethnic minority groups, law enforcement, health care providers, and concerned community and citizen groups to promote healthy lifestyles and tobacco-free environments.

**NEW SECTION.** Sec. 2. The purpose of this chapter is to prevent tobacco-caused disease by reducing the use of and subsequent addiction to tobacco by youth and to promote tobacco reduction programs. The legislature intends to support the development of community and state efforts to reduce the effects of tobacco use by:

- (1) Regulating the sale, distribution, and sampling of tobacco products to minors;
- (2) Conducting a state-wide advertising and public awareness campaign informing youth and their families about the negative health effects of using tobacco; and
- (3) Providing funding for prevention, education, cessation programs, and activities identified by communities that have brought together local leadership and interested citizens, to help reduce tobacco use and addiction. The department shall provide assistance and support to help communities develop and carry out effective intervention strategies and implement tobacco control programs.

**NEW SECTION.** Sec. 3. The definitions set forth in this section apply throughout this chapter.

- (1) "Department" means the state department of health.
- (2) "Minor" means an individual who is less than eighteen years old.
- (3) "Package" means a pack, box, or container of any kind in which a tobacco product is offered for sale, sold, or otherwise distributed.

(4) "Person" means an individual, partnership, corporation, or other business or legal entity and includes the state or any political subdivision of the state.

(5) "Retailer" means a person, firm, association, company, partnership, or corporation who operates a store, stand, booth, concession, or other place at which sales are made to purchasers for consumption or use.

(6) "Vending machine" means a machine or device designated for or used for the vending of cigarettes, cigars, tobacco, or tobacco products upon the insertion of coins, trade checks, or slugs.

NEW SECTION. Sec. 4. The department of health shall collaborate with entities within state, local, tribal, and federal governments, and public and private agencies to use available information and resources to carry out the following:

(1) Identify and monitor the leading causes of death and disease caused by tobacco;

(2) Identify trends, geographic areas, and population groups at risk for preventable tobacco-related disease;

(3) Establish a culturally relevant broad public media and education campaign designed to prevent tobacco use among children, teenagers, pregnant women, and other high-risk groups;

(4) Act as a clearinghouse for tobacco-related policy and information including referral services to cessation programs and information on effective prevention programs for health care providers, business and industry, schools, and the general public;

(5) Evaluate, monitor, and report on the impact of tobacco use intervention efforts state-wide;

(6) Request and receive funds, gifts, grants, or appropriations from the legislature, the federal government, or private sources to pursue the department's duties under this chapter.

NEW SECTION. Sec. 5. The legislature finds that a practical method of responding to health problems, including direct access to target populations, is found at the community level.

(1) The department shall, within available funds, provide grants to local communities to develop and implement coordinated tobacco intervention strategies to reduce the incidence and impact of tobacco use. Geographic boundaries for local communities shall be the same as that of local public health departments. In order to receive local community grants, communities must demonstrate a commitment to carrying out a coordinated intervention strategy plan and meet local matching requirements. Intervention strategy plans must involve the active participation by leadership from local public health, education, health care providers, tribal government, law enforcement, business and industry, labor, and other concerned citizens and community groups. In consultation with the state board of health, the department shall develop criteria by which funding allocations are determined for this section.

(2) Grant applications shall be submitted on behalf of the community by the local health department. If the local health department does not wish to participate in submission of a grant application the application may be submitted by a local organization. If a grant application is not received from a local community, the department may work with the community to develop an intervention strategy plan.

(3) Community intervention strategies shall be sensitive to cultural and ethnic differences and shall focus on at least the following:

(a) Education to school-aged children and teenagers;

(b) Strategies focused on high-risk populations;

(c) Increased local availability of smoking and tobacco use cessation classes and programs;

(d) Distribution of cessation messages and prevention materials to high-risk groups, using local versions of the state-wide media and marketing campaign; and

(e) Creation of local coalitions to encourage changes in community attitudes about tobacco use.

(4) The department shall develop criteria for local match requirements. It shall ensure that contracts for local grants maximize expenditures on developing and implementing tobacco intervention strategies. Grants shall not exceed ninety-five percent of the local tobacco intervention budgets, and the department shall make available to local intervention programs at least twenty-five percent of the total revenues authorized under this chapter. Funds designated for local intervention programs that remain unexpended may be expended on other authorized tobacco intervention strategies.

(5) Local communities shall not supplant existing financial resources with grants issued under this chapter.

NEW SECTION. Sec. 6. Effective July 1, 1991, no tobacco product may be sold or offered for sale from a vending machine unless the machine is located:

(1) In a portion of a commercial building or industrial plant where the public is expressly prohibited and where no minor employees are usually admitted; or

(2) On any premises or portion thereof to which access by minors is expressly prohibited by law if, and only if, the tobacco vending machine is located fully within such premises from which minors are prohibited and not less than ten feet from all entrance or exit ways.

If an appropriate enforcing agency has reason to believe that a violation of this chapter has occurred, the enforcing agency shall issue an order of noncompliance to the alleged violator, informing the alleged violator that a civil action shall begin in one week if the tobacco vending machine is not removed. If after one week the tobacco vending machine has not been removed, the enforcing agency shall initiate a civil action in superior court to enforce the provisions of this chapter. If the court finds that one or more violations have occurred, the court shall award the prevailing party its costs, including reasonable attorneys' fees. The court may also enjoin future violations and impose a civil penalty of up to one thousand dollars per violation. For purposes of this section enforcing agencies shall include state and local health departments, local fire departments or fire districts and local law enforcement.

NEW SECTION. Sec. 7. A retailer who sells cigarettes not in the original sealed unopened package upon which revenue stamps are required to be placed under RCW 82.24.030 is guilty of a gross misdemeanor.

NEW SECTION. Sec. 8. A person who gives or provides by a coupon, tobacco products to a person at no cost or at a nominal cost is guilty of a gross misdemeanor, except that a retailer whose annual gross sales from the sale of tobacco products exceeds sixty percent of annual gross sales may distribute single serving samples of tobacco to adults without violating this section.

NEW SECTION. Sec. 9. A retailer or employee who sells or permits to be sold cigarettes or other tobacco products to an individual without requesting and examining identification from the purchaser positively establishing the purchaser's age as eighteen years or greater, unless the seller has some other conclusive basis for determining the buyer is over the age of eighteen years, is guilty of a gross misdemeanor.

For purposes of this section, the purchaser shall be required to present one of the following officially issued cards of identification which shows his or her correct age and bears his or her signature and photograph:

(1) Liquor control authority card of identification of a state or a province of Canada;  
 (2) Driver's license, instruction permit, or identification of a state or a province of Canada, or "identocard" issued by the Washington state department of licensing under chapter 46.20 RCW;

(3) United States active duty military identification;

(4) Passport; or

(5) Merchant marine identification card issued by the United States coast guard.

NEW SECTION. Sec. 10. No retailer may sell or permit to be sold, cigarettes or other tobacco products, unless the vending machine or other location at which the cigarettes or other tobacco products are available for purchase is posted with a notice that is clearly visible to anyone purchasing the products, and that states:

**IT IS ILLEGAL TO SELL OR PERMIT TO BE SOLD A TOBACCO PRODUCT TO A PERSON UNDER THE AGE OF EIGHTEEN**

The notice must be black letters at least one inch in height on a white background. The notice will be made available through the state department of licensing at the time of issuing the state license. A retailer failing to post the notice is guilty of a gross misdemeanor.

NEW SECTION. Sec. 11. The provisions of this chapter shall not preempt any ordinance or rule adopted by any political subdivisions of the state to enact rules governing the retail sale or use of tobacco products, provided that such ordinances or rules are at least as restrictive as those of applicable state law.

Sec. 12. RCW 82.24.520 and 1986 c 321 s 6 are each amended to read as follows:

A fee of (~~six hundred fifty~~) one thousand dollars shall accompany each wholesaler's license application or license renewal application. If a wholesaler sells or intends to sell cigarettes at two or more places of business, whether established or temporary, a separate license with a license fee of (~~one hundred fifteen~~) three hundred dollars shall be required for each additional place of business. Each license, or certificate thereof, and such other evidence of license as the department of revenue requires, shall be exhibited in the place of business for which it is issued and in such manner as is prescribed for the display of a master license. The department of revenue shall require each licensed wholesaler to file with the department a bond in an amount not less than one thousand dollars to guarantee the proper performance of the duties and the discharge of the liabilities under this chapter. The bond shall be executed by such licensed wholesaler as principal, and by a corporation approved by the department of revenue and authorized to engage in business as a surety company in this state, as surety. The bond shall run concurrently with the wholesaler's license.

Sec. 13. RCW 82.24.530 and 1986 c 321 s 7 are each amended to read as follows:

A fee of (~~ten~~) seventy-five dollars shall accompany each retailer's license application or license renewal application. A fee of (~~one additional dollar~~) twenty-five dollars for each vending machine shall accompany each application or renewal for a license issued to a retail dealer operating a cigarette vending machine.

NEW SECTION. Sec. 14. A new section is added to chapter 82.24 RCW to read as follows:

(1) In addition to the taxes provided in RCW 82.24.020, there is imposed and shall be collected beginning July 1, 1991, an additional tax upon the sale, use, consumption, handling, possession, or distribution of cigarettes, in an amount equal to the rate of one-half of one mill per cigarette.

(2) Revenues collected under this section, after the deduction of the costs of administering the tax, shall be deposited in the tobacco prevention account under section 16 of this act.

NEW SECTION. Sec. 15. A new section is added to chapter 82.26 RCW to read as follows:

(1) In addition to the taxes imposed under RCW 82.26.020 and 82.26.025, there is levied and there shall be collected a tax upon the sale, use, consumption, handling, or distribution of all tobacco products in this state at the rate of one and one-third of one percent of the wholesale sales price of such tobacco products. The tax shall be imposed at the time the distributor (a) brings, or causes to be brought, into this state from without the state tobacco products for sale, (b) makes, manufactures, or fabricates tobacco products in this state for sale in this state, or (c) ships or transports tobacco products to retailers in this state, to be sold by those retailers.

(2) The moneys collected under this section shall be deposited in the tobacco prevention account established under section 16 of this act.

NEW SECTION. Sec. 16. A new section is added to chapter 43.70 RCW to read as follows:

The tobacco prevention account is created in the state treasury. All designated receipts from the taxes imposed by sections 14 and 15 of this act shall be deposited into the account. Expenditures from the account may be used only for funding services and programs under sections 1 through 10 of this act, and to cover any negative impact on the general fund, the water quality account, and the drug enforcement and education account by the taxes imposed under sections 14 and 15 of this act.

NEW SECTION. Sec. 17. Sections 1 through 11 of this act shall constitute a new chapter in Title 70 RCW.

NEW SECTION. Sec. 18. 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 shall take effect July 1, 1991.

NEW SECTION. Sec. 19. 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.

On page 1, line 1 of the title, after "control;" strike the remainder of the title and insert "amending RCW 82.24.520 and 82.24.530; adding a new chapter to Title 70 RCW; adding a new section to chapter 82.24 RCW; adding a new section to chapter 82.26 RCW; adding a new section to chapter 43.70 RCW; prescribing penalties; providing an effective date; and declaring an emergency."

Signed by Representatives Wang, Chair; Fraser, Vice Chair; Belcher; Leonard; Morris; Morton; Phillips; and Rust.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Brumsickle; Day; Silver; and Van Luvan.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1800 Prime Sponsor, Representative Fraser: Creating the office of international relations and protocol. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on State Government be substituted therefor, and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Hine; Lisk; May; Mielke; Peery; Pruitt; Rust; H. Sommers; Valle; Vance; and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Fuhrman; Holland; McLean; and Nealey.

Voting nay: Representatives Morton, Assistant Ranking Minority Member; Fuhrman; Holland; McLean; and Nealey.

Excused: Representatives Silver, Ranking Minority Member; Sprenkle; Wang; and Wineberry.

Passed to Committee on Rules for second reading.

March 9, 1991

**HB 1808** Prime Sponsor, Representative Wineberry: Pertaining to the child care facility fund. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Trade & Economic Development be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

On page 1, after line 14, insert the following:

Sec. 2. RCW 43.31.512 and 1989 c 430 s 7 are each amended to read as follows:

The child care facility fund committee shall award loan guarantees, loans or grants to those persons, businesses, or organizations meeting the minimum standards set forth in this chapter who will best serve the intent of the chapter to increase the availability of high quality, affordable child care in Washington state. Employee organizations may apply for loan guarantees, loans, or grants from the child care facility fund. Applications for loan guarantees, loans, or grants by employee organizations shall be submitted jointly with the businesses or employers whose employees will be served by the child care facility that is the subject of the application. The committee shall promulgate rules regarding the application for and disbursement of loan guarantees, loans, or grants from the fund, including loan terms and repayment procedures. At a minimum, such rules shall require an applicant to submit a plan which includes a detailed description of:

(1) The need for a new or improved child care facility in the area served by the applicant;

(2) The steps the applicant will take to serve a reasonable number of handicapped children as defined in chapter 72.40 RCW, sick children, infants, children requiring night time or weekend care, or children whose costs of care are subsidized by government;

(3) Why financial assistance from the state is needed to start or improve the child care facility;

(4) How the guaranteed loan, loan, or grant will be used, and how such uses will meet the described need;

(5) The child care services to be available at the facility and the capacity of the applicant to provide those services; and

(6) The financial status of the applicant, including other resources available to the applicant which will ensure the continued viability of the facility and the availability of its described services.

Recipients shall annually for two years following the receipt of the loan guarantee, loan, or grant, submit to the child care facility fund committee a report on the facility and how it is meeting the child care needs for which it was intended.

On page 1, line 2 of the title, after "43.31.502" insert "and 43.31.512"

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dom; Ebersole;

Ferguson; Fuhrman; Hine; Holland; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

Excused: Representative Lisk.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1813 Prime Sponsor, Representative Peery: Changing provisions relating to teacher training and recruitment. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. It is the intent of RCW 28A.415.010 and 28A.405.450 as recodified by this act to foster and consolidate K-12 educational staff recruitment and training programs and to provide a continuum of coordinated, comprehensive, regionalized programs designed to enhance the quality of instruction, as well as to improve the ethnic and racial diversity reflected in Washington's K-12 education personnel.

Sec. 2. RCW 28A.415.010 and 1990 c 33 s 414 are each amended to read as follows:

It shall be the responsibility of each educational service district board to establish a center for the improvement of teaching. The center shall administer, coordinate, and act as fiscal agent for such programs related to the recruitment and training of certificated and classified K-12 education personnel as may be delegated to the center by the superintendent of public instruction under RCW 28A.310.470, or the state board of education under RCW 28A.310.480. To assist in these activities, each educational service district board shall establish an improvement of teaching coordinating council to include, at a minimum, representatives as specified in RCW 28A.415.040. An existing in-service training task force, established pursuant to RCW 28A.415.040, may serve as the improvement of teaching coordinating council. The educational service district board shall ensure coordination of programs established pursuant to RCW 28A.415.030, 28A.410.060, and 28A.405.450 as recodified by this 1991 act.

The educational service district board may arrange each year for the holding of one or more teachers' institutes and/or workshops for professional staff preparation and in-service training in such manner and at such time as the board believes will be of benefit to the teachers and other professional staff of school districts within the educational service district and shall comply with rules and regulations of the state board of education pursuant to RCW 28A.410.060 or the superintendent of public instruction or state board of education pursuant to RCW 28A.405.450 as recodified by this 1991 act. The board may provide such additional means of teacher and other professional staff preparation and in-service training as it may deem necessary or appropriate and there shall be a proper charge against the educational service district general expense fund when approved by the educational service district board.

Educational service district boards of contiguous educational service districts, by mutual arrangements, may hold joint institutes and/or workshops, the expenses to be shared in proportion to the numbers of certificated personnel as shown by the last annual reports of the educational service districts holding such joint institutes or workshops.

In local school districts employing more than one hundred teachers and other professional staff, the school district superintendent may hold a teachers' institute of one or more days in such district, said institute when so held by the school district superintendent to be in all respects governed by the provisions of this title and state board of education rules and regulations relating to teachers' institutes held by educational service district superintendents.

Sec. 3. RCW 28A.630.400 and 1989 c 370 s 1 are each amended to read as follows:

(1) The state board of education and the state board for community college education, in consultation with the superintendent of public instruction, the higher education coordinating board, the state apprenticeship training council, and community colleges, shall work cooperatively to develop by September 1, 1992, ~~((a ninety unit))~~ an educational paraprofessional associate of arts degree.

(2) As used in this section, an "educational paraprofessional" is an individual who has completed an associate of arts degree for an educational paraprofessional. The educational paraprofessional may be hired by a school district to assist certificated instructional staff in the direct instruction of children in small and large groups, individualized instruction, testing of children, recordkeeping, and preparation of materials. The educational paraprofessional shall work under the direction of instructional certificated staff.

(3) The training program for an educational paraprofessional associate of arts degree shall include, but is not limited to, the general requirements for receipt of an associate of arts degree and training in the areas of introduction to childhood education, orientation to handicapped children, fundamentals of childhood education, creative activities for children, instructional materials for children, fine art experiences for children, the psychology of learning, introduction to education, child health and safety, child development and guidance, first aid, and a practicum in a school setting.

(4) In developing the program, consideration shall be given to transferability of credit earned in this program to teacher preparation programs at colleges and universities.

(5) The agencies identified under subsection (1) of this section shall adopt rules as necessary under chapter 34.05 RCW to implement this section.

NEW SECTION. Sec. 4. RCW 28A.305.260, 28A.305.270, and 28A.405.450 are each recodified as sections in chapter 28A.415 RCW.

NEW SECTION. Sec. 5. The code reviser shall correct all references in the revised code of Washington to the sections of the code that are recodified by section 4 of this act.

NEW SECTION. Sec. 6. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by June 30, 1991, in the omnibus appropriations act, this act shall be null and void.

On page 1, line 2 of the title, after "recruitment;" strike the remainder of the title and insert "amending RCW 28A.415.010 and 28A.630.400; creating new sections; and recodifying RCW 28A.305.260, 28A.305.270, and 28A.405.450."

Signed by Representatives Appelwick; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Holland and Lisk.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1831 Prime Sponsor, Representative Wang: Designating certain transfers or purchases of ownership interest as a transfer of the ownership of real property and subject to the real estate excise tax. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1831 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; and Rust.

MINORITY recommendation: Do not pass. Signed by Representatives Silver and Van Luven.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1836 Prime Sponsor, Representative Belcher: Adopting the model rivers act. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Natural Resources & Parks be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. INTENT. The legislature finds that (1) the rivers of the state are a great economic, cultural, and recreational resource; (2) these rivers are facing increasing pressure and conflicts from growth and a multitude of uses and activities both within the river and its drainage; and (3) the resolution of these pressures and conflicts should be based upon a collaborative planning process rather than adding to the regulatory burden of landowners. Therefore, it is the intent of the legislature to establish a program that will encourage a collaborative process bringing together users, landowners, local governments, and state government to develop a long-range plan for the management and preservation of the state's rivers and the various uses made of those rivers. Furthermore, it is the intent of the legislature that this program should provide to the greatest extent possible for the development of plans and management of river systems at the local level.

NEW SECTION. Sec. 2. DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Commission" means the state parks and recreation commission created under RCW 43.51.020.

(2) "Director" means the director of the commission appointed under RCW 43.51.060.

(3) "Local governments" means municipal corporations, quasi-municipal corporations, counties, and tribes.

(4) "Model rivers" means rivers or river areas designated under section 8 of this act.

(5) "Protected rivers" means rivers or river areas designated under section 5 or 6 of this act.

(6) "River area" means a river and land surrounding the river as defined by a protected or model river management plan developed under section 5, 6, or 8 of this act.

NEW SECTION. Sec. 3. MODEL RIVERS PROGRAM. (1) There is created within the parks and recreation commission the model rivers program. The purpose of the program is to:

(a) Promote river management programs that enhance a river's natural or inherent qualities;

(b) Enhance the economic, recreational, cultural, and natural uses that rivers provide to the citizens of Washington state;

(c) Promote and manage programs that balance the various uses of rivers;

(d) Protect the best interests of private landowners while maintaining the health of the river;

(e) Encourage citizen and government stewardship of rivers to care for and monitor river resources;

(f) Encourage the use and coordination of existing statutes and agency programs rather than create new programs or rules;

(g) Assist local governments to preserve and enhance their river areas; and

(h) Rehabilitate rivers that do not meet water quality standards.

(2) The commission shall:

(a) Monitor the management of protected rivers, model rivers, degraded rivers, and rivers that receive technical assistance;

(b) Provide assistance in development of management plans for protected rivers and model rivers;

(c) Notify and work with local interests, local governments, and appropriate state agencies to determine the appropriate management plans for protected rivers; and

(d) Report to the legislature by January 1st of odd-numbered years on the commission's activities under this chapter and the status of rivers in the state.

NEW SECTION. Sec. 4. PROTECTED RIVERS. (1) The commission shall prepare a list of rivers eligible for designation as protected rivers. Rivers eligible for such designation shall be limited to:

(a) Rivers designated as off-limits in the state hydroelectric power resource protection plan; and

(b) The eighteen candidate rivers listed in the 1988 state parks scenic rivers assessment.

(2) A river may be included on the list under subsection (1) of this section only if the commission finds that the following conditions exist:

(a) The river or the portion of the river to be designated is free flowing;

(b) The river has exceptional natural, scenic, historic, ecological, cultural, or recreational features;

(c) The river is without artificial diversions that hinder recreational use;

(d) The river is relatively unmodified by riprapping and other stream bank intrusions;

(e) There is water of sufficient quality and quantity to warrant protected river designation;

(f) The river is in a relatively natural condition with adequate open space; and

(g) The river has publicly owned land along its length.

(3) When a river is listed under subsection (1) of this section, the director or the director's designee shall:

(a) Notify the appropriate local governments of the listing;

(b) Explain the significance of the eligibility for designation; and

(c) Explain how to develop a protected river management plan under sections 5 and 6 of this act.

NEW SECTION. Sec. 5. PROTECTED RIVERS--LOCAL MANAGEMENT PLAN. (1) A local government or a group of local governments may elect to develop a local management plan for a river or a portion of a river that is (a) within its jurisdiction

and (b) listed under section 4(1) of this act. The local government or group of local governments shall appoint a river council under section 9 of this act to assist in the development, implementation, and review of the management plan. Management plans developed under this section shall satisfy the requirements of section 7 of this act.

(2) Upon completion, the local management plan shall be submitted to the commission for adoption or rejection. No plan may be adopted unless the commission finds that the plan is consistent with the requirements of section 7 of this act. If rejected, the commission shall notify the local government or group of local governments of any action required in order to gain approval. Upon approval of the plan, the commission shall request that the legislature designate the river as a locally managed protected river.

**NEW SECTION. Sec. 6. PROTECTED RIVERS--STATE MANAGEMENT PLAN.** (1) The commission may develop and adopt a state management plan for any river or a portion of a river listed under section 4(1) of this act for which (a) no local management plan has been developed under section 5 of this act or (b) a local management plan developed under section 5 of this act has been disapproved. If the commission elects to develop a management plan, the commission shall appoint a river council under section 9 of this act to assist in the development, implementation, and review of the management plan. Management plans developed under this section shall satisfy the requirements of section 7 of this act.

(2) Upon completion of the plan by the commission, the commission shall request that the legislature designate the river as a state-managed protected river.

**NEW SECTION. Sec. 7. PROTECTED RIVER MANAGEMENT PLANS.** (1) A protected river management plan shall consist of an initial assessment and, based upon the results of the assessment, the development of management goals and objectives. The initial assessment shall consist of:

(a) An inventory of the river's natural resources including but not limited to, fisheries, wildlife, forestry, recreation, historical, and cultural resources; and

(b) An evaluation of existing and potential land uses, existing plans that affect activity along the river, public use, and methods for protection of private property rights.

(2) The commission shall establish the criteria and components of protected river management plans developed under sections 5 and 6 of this act. These criteria shall include, but not be limited to:

(a) Maintenance of stream flows that protect the outstanding recreational, natural, and cultural values of the river;

(b) Protection of water quality;

(c) Management of the river by selective use of riprapping and other stream bank protection to protect existing structures;

(d) Maintenance of a relatively natural setting and adequate open space on public lands within the area subject to the management plan;

(e) Prohibiting dams or impoundments that would degrade the river's natural qualities;

(f) Protecting the interests of landowners while maintaining the health of the river; and

(g) Identification of the river area that is subject to the management plan.

**NEW SECTION. Sec. 8. MODEL RIVER DESIGNATION.** (1) The goal of the model river designation is to maintain or improve river quality on multiple use rivers by evaluating and assessing existing and potential uses along the river area, and developing a model river management plan for the river. Uses of a model river may include hydropower, agriculture, fishing, wildlife, recreation, culture, forestry, and public safety.

(2) A local government or a group of local governments with jurisdiction in the vicinity of the river may petition the commission to have a river designated as a model river. Such a petition may include a request for matching funds to finance the

development of a model river management plan under this section. A petitioner, submitting a petition under this section, shall:

- (a) Demonstrate a firm interest in developing a management plan;
  - (b) Agree to establish goals and objectives to achieve multiple use protection of the river;
  - (c) Agree to appoint a river council that is broadly representative as required under section 9 of this act; and
  - (d) Agree, if funding is being requested, to provide or secure a minimum of fifty percent matching funds for the development of a management plan.
- (3) The commission shall review and prioritize petitions submitted under subsection (2) of this section on the basis of the following criteria:
- (a) The extent to which the river possesses natural, cultural, recreational, or economic value of regional or state-wide significance;
  - (b) The extent to which the river is in need of a management plan to balance competing demands on the river;
  - (c) The extent to which there is a threat to the river environment by overuse or uncontrolled growth;
  - (d) The extent to which the petitioners have considered and are likely to achieve their goals; and
  - (e) The availability of funding.

The commission may award matching funds to the petitioner for the development of a model river management plan based upon the priorities established under this subsection. Funds may be awarded only if the petitioner guarantees to provide a minimum of fifty percent matching funds.

(4) The petitioner shall appoint a river council under section 9 of this act to assist in the development, implementation, and review of the management plan. The commission shall provide technical assistance to the extent possible.

(5) The river council appointed under subsection (4) of this section shall establish:

- (a) The river area subject to the management plan; and
- (b) The criteria and components of the river management plan consistent with the purposes of this section.

(6) A model river management plan shall consist of an initial assessment and, based upon the results of the assessment, management goals, and objectives. The initial assessment shall consist of:

(a) An inventory of the river's natural resources including but not limited to, fisheries, wildlife, forestry, recreation, historical, and cultural resources; and

(b) An evaluation of existing and potential land uses, existing plans that affect activity along the river, public use, and methods for protection of private property rights.

(7) Upon completion, the model river management plan shall be submitted to the commission for approval or rejection.

The commission may reject a plan only if it finds that the plan is not consistent with the purposes of this chapter by maintaining or improving the quality of the river while providing for coordinated, multiple use of the river area.

If rejected, the commission shall notify the petitioner of any action required in order to gain approval. Upon approval of the management plan, the commission shall request that the legislature designate the river as a model river.

**NEW SECTION.** Sec. 9. RIVER COUNCILS. (1) There may be only one river council appointed in association with any single management plan developed under section 5, 6, or 8 of this act.

(2) A river council shall be broadly representative of all interests associated with the river including, but not limited to: Landowners, recreational and environmental interest groups, business, local governments, and state agencies. The duties of a river

council shall include assisting in the development, implementation, and review of the management plan.

NEW SECTION. Sec. 10. TECHNICAL COMMITTEES. The commission may appoint technical committees to assist in implementation of this chapter. When establishing technical committees the commission shall ensure that appropriate public and private interests are represented. The technical committees shall meet at the times and places determined by the director.

NEW SECTION. Sec. 11. RIVERS ASSISTANCE COMPONENT. Local governments with a single critical issue or multiple issues along the river that do not require model river management plans may petition the commission for assistance. If, after a preliminary evaluation of the issue or issues, the commission determines that a management plan is not required, then the commission may provide assistance by referring the request to the state agency capable of providing assistance or requesting participants in the rivers assistance team to make an on-site evaluation and provide the local government with a recommendation for resolving the issue or issues.

NEW SECTION. Sec. 12. RIVERS ASSISTANCE TEAM. (1) Upon request for technical assistance from local persons or interests or a local government the commission may identify volunteer experts from the public and private sector select who are willing to serve on a rivers assistance team.

(2) The rivers assistance team shall provide technical assistance, consultations, and on-site evaluations. The rivers assistance team may issue a report of findings if deemed appropriate by members of the team.

(3) Participants in on-site evaluations shall receive compensation in accordance with RCW 43.03.220 and be reimbursed for travel expenses as provided for in RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 13. A new section is added to chapter 43.21A RCW to read as follows:

DEGRADED RIVERS. (1) The department shall submit a biennial report to the parks and recreation commission on rivers in the state monitored for water quality standards by the department under chapter 90.48 RCW. The report shall include: Identification of degraded rivers; identification of rivers in danger of becoming degraded; recommendations to the commission on preventing degradation of rivers; and plans or programs implemented to improve water quality.

(2) For the purposes of this section, "degraded rivers" are rivers that do not meet state surface water quality standards and are identified by the department as water quality limited.

NEW SECTION. Sec. 14. WATER RIGHTS--EMINENT DOMAIN. This chapter shall not (1) affect or impair any water right or permit existing on the effective date of this section; (2) be construed to impose any special limitations on the issuance and development of water rights relating to a critical public water supply; (3) prohibit the state, any state government agency, or local government from carrying out its duty to protect the public health and welfare by preventing or minimizing flood damage as defined in RCW 86.16.120; or (4) be construed to grant additional regulatory authority to local or state agencies. The power of eminent domain may not be used in carrying out any provision of this chapter. The property rights of landowners shall be protected from arbitrary and discriminatory action.

NEW SECTION. Sec. 15. STATE TRUST LANDS. This chapter shall not prohibit the department of natural resources from exercising its full responsibilities and obligations for the management of state trust lands.

NEW SECTION. Sec. 16. REDESIGNATION OF SCENIC RIVERS. On the effective date of this section, all rivers or river segments designated in the scenic rivers program, chapter 79.72 RCW, shall be designated as protected rivers under section 6 of this act.

NEW SECTION. Sec. 17. CAPTIONS NOT LAW. Section headings as used in this act do not constitute any part of the law.

NEW SECTION. Sec. 18. SHORT TITLE. This chapter shall be known and cited as the model rivers act.

NEW SECTION. Sec. 19. The following acts or parts of acts are each repealed:

- (1) RCW 79.72.010 and 1977 ex.s. c 161 s 1;
- (2) RCW 79.72.020 and 1988 c 36 s 57, 1987 c 57 s 1, 1984 c 7 s 371, & 1977 ex.s. c 161 s 2;
- (3) RCW 79.72.030 and 1977 ex.s. c 161 s 3;
- (4) RCW 79.72.040 and 1989 c 175 s 169 & 1977 ex.s. c 161 s 4;
- (5) RCW 79.72.050 and 1977 ex.s. c 161 s 5;
- (6) RCW 79.72.060 and 1977 ex.s. c 161 s 6;
- (7) RCW 79.72.070 and 1988 c 36 s 58 & 1977 ex.s. c 161 s 7;
- (8) RCW 79.72.080 and 1977 ex.s. c 161 s 8;
- (9) RCW 79.72.090 and 1977 ex.s. c 161 s 9;
- (10) RCW 79.72.100 and 1988 c 36 s 59 & 1977 ex.s. c 161 s 10; and
- (11) RCW 79.72.900 and 1977 ex.s. c 161 s 12.

NEW SECTION. Sec. 20. Sections 1 through 12 and 14 through 18 of this act shall constitute a new chapter in Title 43 RCW.

On page 1, line 1 of the title, after "management;" strike the remainder of the title and insert "adding a new section to chapter 43.21A RCW; adding a new chapter to Title 43 RCW; and repealing RCW 79.72.010, 79.72.020, 79.72.030, 79.72.040, 79.72.050, 79.72.060, 79.72.070, 79.72.080, 79.72.090, 79.72.100, and 79.72.900."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Appelwick; Belcher; Braddock; Brekke; Dorn; Ebersole; Ferguson; Hine; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Wang; and Wineberry.

Excused: Representatives Appelwick; Holland; and Lisk.

Passed to Committee on Rules for second reading.

March 11, 1991

HB 1850 Prime Sponsor, Representative Wang: Raising various hunting and fishing fees. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1850 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Appelwick; Belcher; Day; Leonard; Morris; Phillips; and Rust.

MINORITY recommendation: Do not pass. Signed by Representatives Wynne, Assistant Ranking Minority Member; Brumsickle; Morton; Silver; and Van Luvan.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1855 Prime Sponsor, Representative Wang: Imposing fees for permits for hydraulic projects. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1855 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Appelwick; Belcher; Leonard; Morris; Phillips; and Rust.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Brumsickle; Day; Morton; Silver; and Van Luven.

Passed to Committee on Rules for second reading.

March 8, 1991

HB 1856 Prime Sponsor, Representative Wang: Making major changes to the weights and measures statutes. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1856 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Appelwick; Belcher; Day; Leonard; Phillips; and Rust.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Brumsickle; Morris; Morton; and Silver.

Excused: Representative Van Luven.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1857 Prime Sponsor, Representative Riley: Revising provisions relating to the hardwood commission. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill by Committee on Trade & Economic Development be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; and Silver.

Excused: Representatives Belcher and Van Luven.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1859 Prime Sponsor, Representative Appelwick: Changing support enforcement provisions. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor, and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Appelwick; Belcher; Braddock; Brekke; Dorn; Ebersole; Hine; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Wang; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Bowman; Ferguson; Fuhrman; Lisk; May; McLean; Mielke; Nealey; and Vance.

Voting nay: Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Bowman; Ferguson; Fuhrman; May; McLean; Mielke; Nealey; and Vance.

Excused: Representatives Holland and Lisk.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1870 Prime Sponsor, Representative Jones: Providing higher education opportunities for people in economically depressed timber regions. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Higher Education be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. It is the intent of the legislature to provide:

- (1) Training and retraining opportunities for timber workers;
- (2) Additional opportunities for dislocated timber workers and residents of timber-distressed counties to attend local community colleges;
- (3) Educational opportunities to displaced timber workers who reside in areas where access to a four-year institution of higher education is not available;
- (4) Educational opportunities in those communities that are most severely impacted by job losses in the timber industry; and
- (5) A means for dislocated timber workers to remain gainfully employed within their communities.

NEW SECTION. Sec. 2. A new section is added to chapter 28B.50 RCW to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 3 through 7 of this act.

- (1) "Board" means the state board for community college education.
- (2) "Dislocated timber worker" means any individual who: (a) Has been terminated or received a notice of termination from employment in a timber-related occupation

within standard industrial code 024; and (b) at the time of last separation from employment, resided in or was employed in a timber-distressed county.

(3) "Timber-dependent community" means a county, city, or town located in a county meeting two of the following three criteria for the most recent year such data is available: (a) A lumber and wood products employment location quotient at or above the state average, (b) a direct lumber and wood products job loss of one hundred or more, or (c) an annual unemployment rate twenty percent above the state average.

**NEW SECTION.** Sec. 3. A new section is added to chapter 28B.50 RCW to read as follows:

The state board for community college education shall administer a program designed to provide higher education opportunities to dislocated timber workers or their spouses. In administering the program, the board shall have the following powers and duties:

(1) Appoint an advisory committee to assist the board in program design and funding distribution;

(2) Allocate funding to community colleges attended by eligible dislocated timber workers;

(3) Monitor the program and report on students' progress and outcome; and

(4) Report to the legislature by December 1, 1993, on the status of the program.

**NEW SECTION.** Sec. 4. A new section is added to chapter 28B.50 RCW to read as follows:

In addition to the community college enrollment level funded by the omnibus appropriations act for the biennium ending June 30, 1993, the community college system is authorized to serve two hundred fifty full-time equivalent students in fiscal year 1992 and five hundred full-time equivalent students in fiscal year 1993. Under this program, the community colleges shall waive the tuition, services, and activities fees for dislocated timber workers or their spouses, enrolled as one of the full-time equivalent students allocated under this section, who do not receive federal tuition assistance for retraining, provided the dislocated timber worker provides verification of the following conditions:

(1) The dislocated timber worker, within the five years before enrolling as a student, was employed in the timber industry on a full-time basis for at least six months each year; and

(2) The unemployment of the dislocated timber worker is due to reduction in work force and not misconduct of the timber worker;

The dislocated timber workers or their spouses are eligible to receive waivers for a total of six quarters within a two-year time period and must be enrolled for a minimum of ten credits per quarter.

Dislocated timber workers or their spouses shall receive priority for the full-time equivalent student allocations authorized under this section. Funding for any full-time equivalent student enrollment allocations that are unused by June 30, 1993, shall lapse.

**NEW SECTION.** Sec. 5. A new section is added to chapter 28B.80 RCW to read as follows:

The higher education coordinating board shall administer a program designed to provide upper division higher education opportunities to dislocated timber workers, their spouses, and others in timber-distressed counties. In administering the program, the board shall have the following powers and duties:

(1) Distribute funding for an institution of higher education to service Clallam county;

(2) Appoint an advisory committee to assist the board in program design and future project selection;

(3) Monitor the program and report on student progress and outcome; and

(4) Report to the legislature by December 1, 1993, on the status of the program.

NEW SECTION. Sec. 6. A new section is added to chapter 28B.80 RCW to read as follows:

In consultation with Peninsula College, the higher education coordinating board shall contract with an institution of higher education to provide upper division classes to serve fifty full-time equivalent students per year in Clallam county. The institution shall utilize telecommunication technology, if available, to carry out the purposes of this section. The institution providing the service shall waive the tuition, service, and activities fees for dislocated timber workers or their spouses enrolled as one of the full-time equivalent students allocated to the college under this section, provided the dislocated timber worker provides verification of the following conditions:

(1) The dislocated timber worker, within the five years before enrolling as a student, was employed in the timber industry on a full-time basis for at least six months of each year; and

(2) The unemployment of the dislocated timber worker is due to reduction in work force and not misconduct of the timber worker;

The dislocated timber worker or his or her spouse is eligible to receive waivers for a total of four semesters or six quarters within a two-year time period and must be enrolled for a minimum of ten credits per semester or quarter.

NEW SECTION. Sec. 7. A new section is added to chapter 28B.80 RCW to read as follows:

Dislocated timber workers and their spouses shall receive priority for attendance in upper division courses allocated under section 6 of this act, offered in Clallam county. Remaining allocations may be distributed to others in the timber-dependent community.

NEW SECTION. Sec. 8. This act shall expire July 1, 1995.

NEW SECTION. Sec. 9. 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 shall take effect immediately.

NEW SECTION. Sec. 10. If by June 30, 1991, the omnibus operating budget appropriations act for the 1991-93 biennium does not provide specific funding for this act, referencing this act by bill number, this act is null and void.

On page 1, line 1 of the title, after "education;" strike the remainder of the title and insert "adding new sections to chapter 28B.50 RCW; adding new sections to chapter 28B.80 RCW; creating new sections; providing an expiration date; and declaring an emergency."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Fuhrman; Hine; Lisk; McLean; Nealey; Peery; Pruitt; Rust; H. Sommers; Valle; Wang; and Wineberry.

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

Excused: Representatives Holland; May; Mielke; Sprenkle; and Vance.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1880 Prime Sponsor, Representative Cole: Authorizing the replacement of school buses. Reported by Committee on Appropriations

**MAJORITY recommendation:** The substitute bill by Committee on Education be substituted therefor, and the substitute bill do pass with the following amendment by Committee on Appropriations:

On page 8, after line 2, insert the following new section:

**"NEW SECTION.** Sec. 8. If by June 30, 1991, the omnibus operating budget appropriations act for the 1991-93 biennium does not provide specific funding for this act, referencing this act by bill number, this act is null and void."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Holland and Sprenkle.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1884 Prime Sponsor, Representative Ebersole: Providing for domestic violence programs and community response. Reported by Committee on Appropriations

**MAJORITY recommendation:** The substitute bill by Committee on Judiciary be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

On page 23, after line 24, strike all of section 17

Renumber the remaining sections consecutively.

On page 24, after line 11, insert the following:

**NEW SECTION.** Sec. 20. If by June 30, 1991, the omnibus operating budget appropriations act for the 1991-93 biennium does not provide specific funding for sections 2, 7, 11, and 12 of this act, referencing the sections by bill and section number, any such section not referenced is null and void.

On page 1, line 4 of the title, after "penalties;" strike "making an appropriation;"

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Dorn; Ebersole; Ferguson; Fuhrman; Hine; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Holland and Lisk.

Passed to Committee on Rules for second reading.

March 8, 1991

HB 1887 Prime Sponsor, Representative Fraser: Redefining open space land. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Morris; Morton; Phillips; and Silver.

Excused: Representative Van Luven.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1890 Prime Sponsor, Representative Braddock: Revising provisions for the regulation of nursing homes. Reported by Committee on Appropriations

MAJORITY recommendation: Do not pass substitute bill by Committee on Health Care and do pass with the following amendments by Committee on Appropriations:

On page 2, line 16, after "full" insert "or in part"

On page 3, after line 18, strike all of section 3

Renumber remaining sections consecutively and correct internal references accordingly.

On page 12, after line 5, strike all of section 5

Renumber remaining sections consecutively and correct internal references accordingly.

On page 21, line 16, strike "~~((and))~~ 74.46.370, and 74.46.380," and insert "and 74.46.370,"

On page 1, line 2 of the title, strike "74.46.020, 74.46.210, 74.46.380" and insert "74.46.210"

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Appelwick; Belcher; Braddock; Brekke; Dorn; Ebersole; Hine; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Wang; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Bowman; Ferguson; Fuhrman; McLean; and Nealey.

Voting nay: Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Bowman; Ferguson; Fuhrman; Lisk; McLean; and Nealey.

Excused: Representatives Holland; May; Mielke; and Vance.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1891 Prime Sponsor, Representative Braddock: Coordinating the basic health plan with medical assistance. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

Excused: Representative Holland.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1916 Prime Sponsor, Representative Belcher: Adopting the state lands stewardship act. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 1916 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Appelwick; Belcher; Leonard; Morris; Phillips; and Rust.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Brumsickle; Day; Morton; Silver; and Van Luven.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 1932 Prime Sponsor, Representative Locke: Raising school levy limits. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

On page 5, after line 17, insert the following new section:

"NEW SECTION. Sec. 2. If by June 30, 1991, the omnibus operating budget appropriations act for the 1991-93 biennium does not provide specific funding for this act, referencing this act by bill number, this act is null and void."

On page 1, line 1, after "districts;" strike "and" and after "RCW 84.52.0531" on line 2, insert "; and creating a new section"

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Appelwick; Braddock; Brekke; Dorn; Ebersole; Ferguson; Hine; May; Peery; Pruitt; Rust; H. Sommers; Valle; Vance; and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Belcher; Bowman; Fuhrman; McLean; Mielke; and Nealey.

Voting nay: Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Belcher; Bowman; Fuhrman; Mielke; and Nealey.

Excused: Representatives Holland; Lisk; and McLean.

Passed to Committee on Rules for second reading.

March 8, 1991

HB 1938 Prime Sponsor, Representative Fraser: Creating a state-wide enhanced 911 network. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill by Committee on Energy & Utilities be substituted therefor, and the substitute bill do pass with the following amendment by Committee on Revenue:

On page 9, beginning on line 15, after "(1)" strike all material through page 10, line 16, and insert: "No later than January 1, 1992, the legislative authority of a county ~~((may))~~ shall impose ~~((an))~~ a county enhanced 911 excise tax on the use of ~~((telephone))~~ switched access lines in an amount not exceeding fifty cents per month for each ~~((telephone))~~ switched access line. ~~((The amount of tax shall be uniform for each telephone access line. This tax must be approved by a favorable vote of at least three-fifths of the electors thereof voting on the proposition, at which election the number of persons voting "yes" on the proposition shall constitute three fifths of a number equal to forty per centum of the total votes cast in the county at the last preceding general election when the number of electors voting on the proposition does not exceed forty per centum of the total votes cast in the county in the last preceding general election; or by a majority of at least three fifths of the electors thereof voting on the proposition when the number of electors voting on the proposition exceeds forty per centum of the total votes cast in the county in the last preceding general election. This tax may be imposed for six years without subsequent voter approval. At any election held under this section, the ballot title of the proposition shall state the maximum monthly rate of the proposed tax which may be imposed by the county legislative authority. The actual rate of tax to be imposed shall be set by ordinance, which rate shall not exceed the maximum monthly rate approved by the electors.~~

~~No tax may be imposed under this section for more than one year before the expected implementation date of an emergency services communication system. The power granted under this section is in addition to any other authority which counties have to fund emergency services communication systems.)~~ Each county shall provide notice of such tax to all local exchange companies serving in the county at least sixty days in advance of the date on which the first payment is due. A tax of less than fifty cents may be imposed if the tax assessed fully funds the enhanced 911 program in the county. All receipts from the county enhanced 911 excise tax shall be used within the county as specified in RCW 82.14B.050."

Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; and Rust.

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

Excused: Representative Van Luven.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1940 Prime Sponsor, Representative Scott: Establishing foster care citizen review boards. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Human Services be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. A new section is added to chapter 13.70 RCW to read as follows:

(1) If a case involves an Indian child, as defined by 25 U.S.C. Sec. 1903 or by department rule or policy, the court may appoint the local Indian child welfare advisory committee to serve as the citizen review board for the case unless otherwise requested by the child's tribe or by the local Indian child welfare advisory committee.

(2) The provisions of RCW 13.70.030, 13.70.040, 13.70.050, and 13.70.090(1) shall not apply to cases in which the court has appointed a committee to serve as a citizen review board. All other provisions of this chapter shall apply to such cases.

(3) Within ten days following court appointment of a committee to serve as a citizen review board for a particular case, the committee shall notify the court whether the committee will accept the case for review. If the committee accepts a case for review, the committee shall conduct the review in accordance with the requirements of this chapter except as otherwise provided in this section. If the committee does not accept a case for review, the court shall immediately reassign the case to an available board.

(4) The requirements of this chapter do not affect tribal sovereignty and shall not apply to cases involving Indian children who are under tribal court jurisdiction or wardship.

Sec. 2. RCW 13.70.005 and 1989 1st ex.s. c 17 s 2 are each amended to read as follows:

Periodic case review of all children in substitute care shall be provided in ~~((at least one class 1 or higher county, in accordance with this chapter))~~ counties designated by the office of the administrator for the courts, in accordance with this chapter and within funding provided by the legislature.

The administrator for the courts shall coordinate and assist in the administration of the local citizen review board pilot program created by this chapter.

Sec. 3. RCW 13.70.010 and 1989 1st ex.s. c 17 s 3 are each amended to read as follows:

Unless the context requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Board" means the local citizen review board established pursuant to this chapter.

(2) "Child" means a person less than eighteen years of age.

(3) "Committee" means a local Indian child welfare advisory committee established pursuant to WAC 388-70-610, as now existing or hereafter amended by the department.

(4) "Conflict of interest" means that a person appointed to a board has a personal or pecuniary interest in a case being reviewed by that board.

~~((4))~~ (5) "Court" means the juvenile court.

~~((5))~~ (6) "Custodian" means that person who has legal custody of the child.

~~((6))~~ (7) "Department" means the department of social and health services.

~~((7))~~ (8) "Mature child" means a child who is able to understand and participate in the decision-making process without excessive anxiety or fear. A child twelve years old or over shall be rebuttably presumed to be a mature child.

~~((8))~~ (9) "Parent" or "parents" means the biological or adoptive parents of a child unless the legal rights of that person have been terminated by judicial proceedings.

~~((9))~~ (10) "Placement episode" means the period of time that begins with the date the child was removed from the home of the parent or legal custodian for the purposes of placement in substitute care and continues until the child returns home or an adoption decree or guardianship order is entered.

~~((10))~~ (11) "Records" means any information in written form, pictures, photographs, charts, graphs, recordings, or documents pertaining to a case.

~~((11))~~ (12) "Resides" or "residence," when used in reference to the residence of a child, means the place where the child is actually living and not the legal residence or domicile of the parent or guardian.

~~((12))~~ (13) "Substitute care" means an out-of-home placement of a child for purposes related to the provision of child welfare services in accordance with chapter 74.13 RCW where the child is in the care, custody, and control of the department pursuant to a proceeding under chapter 13.34 RCW or pursuant to the written consent of the child's parent or parents or custodian.

Sec. 4. RCW 13.34.130 and 1990 c 284 s 32 and 1990 c 246 s 5 are each reenacted and amended to read as follows: .

If, after a fact-finding hearing pursuant to RCW 13.34.110, as now or hereafter amended, it has been proven by a preponderance of the evidence that the child is dependent within the meaning of RCW 13.34.030(2); after consideration of the predisposition report prepared pursuant to RCW 13.34.110 and after a disposition hearing has been held pursuant to RCW 13.34.110, the court shall enter an order of disposition pursuant to this section.

(1) The court shall order one of the following dispositions of the case:

(a) Order a disposition other than removal of the child from his or her home, which shall provide a program designed to alleviate the immediate danger to the child, to mitigate or cure any damage the child has already suffered, and to aid the parents so that the child will not be endangered in the future. In selecting a program, the court should choose those services that least interfere with family autonomy, provided that the services are adequate to protect the child.

(b) Order that the child be removed from his or her home and ordered into the custody, control, and care of a relative or the department of social and health services or a licensed child placing agency for placement in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW or in a home not required to be licensed pursuant to chapter 74.15 RCW. Unless there is reasonable cause to believe that the safety or welfare of the child would be jeopardized or that efforts to reunite the parent and child will be hindered, such child shall be placed with a grandparent, brother, sister, stepbrother, stepsister, uncle, aunt, or first cousin with whom the child has a relationship and is comfortable, and who is willing and available to care for the child. An order for

out-of-home placement may be made only if the court finds that reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home, specifying the services that have been provided to the child and the child's parent, guardian, or legal custodian, and that:

(i) There is no parent or guardian available to care for such child;  
 (ii) The parent, guardian, or legal custodian is not willing to take custody of the child;

(iii) A manifest danger exists that the child will suffer serious abuse or neglect if the child is not removed from the home and an order under RCW 26.44.063 would not protect the child from danger; or

(iv) The extent of the child's disability is such that the parent, guardian, or legal custodian is unable to provide the necessary care for the child and the parent, guardian, or legal custodian has determined that the child would benefit from placement outside of the home.

(2) If the court has ordered a child removed from his or her home pursuant to RCW 13.34.130(1)(b), the court may order that a petition seeking termination of the parent and child relationship be filed if the court finds it is recommended by the supervising agency, that it is in the best interests of the child and that it is not reasonable to provide further services to reunify the family because the existence of aggravated circumstances make it unlikely that services will effectuate the return of the child to the child's parents in the near future. In determining whether aggravated circumstances exist, the court shall consider one or more of the following:

(a) Conviction of the parent of rape of the child in the first, second, or third degree as defined in RCW 9A.44.073, 9A.44.076, and 9A.44.079;

(b) Conviction of the parent of criminal mistreatment of the child in the first or second degree as defined in RCW 9A.42.020 and 9A.42.030;

(c) Conviction of the parent of assault of the child in the first or second degree as defined in RCW 9A.36.011 and 9A.36.021;

(d) Conviction of the parent of murder, manslaughter, or homicide by abuse of the child's other parent, sibling, or another child;

(e) A finding by a court that a parent is a sexually violent predator as defined in RCW ((9A.88.010)) 71.09.020;

(f) Failure of the parent to complete available treatment ordered under this chapter or the equivalent laws of another state, where such failure has resulted in a prior termination of parental rights to another child and the parent has failed to effect significant change in the interim.

(3) Whenever a child is ordered removed from the child's home, the agency charged with his or her care shall provide the court with:

(a) A permanent plan of care that may include one of the following: Return of the child to the home of the child's parent, adoption, guardianship, or long-term placement with a relative or in foster care with a written agreement.

(b) Unless the court has ordered, pursuant to RCW 13.34.130(2), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to return the child home, and what actions the agency will take to maintain parent-child ties. All aspects of the plan shall include the goal of achieving permanence for the child.

(i) The agency plan shall specify what services the parents will be offered in order to enable them to resume custody, what requirements the parents must meet in order to resume custody, and a time limit for each service plan and parental requirement.

(ii) The agency shall be required to encourage the maximum parent-child contact possible, including regular visitation and participation by the parents in the care of the child while the child is in placement. Visitation may be limited or denied only if the

court determines that such limitation or denial is necessary to protect the child's health, safety, or welfare.

(iii) A child shall be placed as close to the child's home as possible, preferably in the child's own neighborhood, unless the court finds that placement at a greater distance is necessary to promote the child's or parents' well-being.

(iv) The agency charged with supervising a child in placement shall provide all reasonable services that are available within the agency, or within the community, or those services which the department of social and health services has existing contracts to purchase. It shall report to the court if it is unable to provide such services.

(c) If the court has ordered, pursuant to RCW 13.34.130(2), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to achieve permanency for the child, services to be offered or provided to the child, and, if visitation would be in the best interests of the child, a recommendation to the court regarding visitation between parent and child pending a fact-finding hearing on the termination petition. The agency shall not be required to develop a plan of services for the parents or provide services to the parents.

(4) If there is insufficient information at the time of the disposition hearing upon which to base a determination regarding the suitability of a proposed placement with a relative, the child shall remain in foster care and the court shall direct the supervising agency to conduct necessary background investigations as provided in chapter 74.15 RCW and report the results of such investigation to the court within thirty days. However, if such relative appears otherwise suitable and competent to provide care and treatment, the criminal history background check need not be completed before placement, but as soon as possible after placement. Any placements with relatives, pursuant to this section, shall be contingent upon cooperation by the relative with the agency case plan and compliance with court orders related to the care and supervision of the child including, but not limited to, court orders regarding parent-child contacts and any other conditions imposed by the court. Noncompliance with the case plan or court order shall be grounds for removal of the child from the relative's home, subject to review by the court.

(5) Except for children whose cases are reviewed by a citizen review board under chapter 13.70 RCW, the status of all children found to be dependent shall be reviewed by the court at least every six months from the beginning date of the placement episode or the date dependency is established, whichever is first, at a hearing in which it shall be determined whether court supervision should continue. The review shall include findings regarding the agency and parental completion of disposition plan requirements, and if necessary, revised permanency time limits.

(a) A child shall not be returned home at the review hearing unless the court finds that a reason for removal as set forth in this section no longer exists. The parents, guardian, or legal custodian shall report to the court the efforts they have made to correct the conditions which led to removal. If a child is returned, casework supervision shall continue for a period of six months, at which time there shall be a hearing on the need for continued intervention.

(b) If the child is not returned home, the court shall establish in writing:

(i) Whether reasonable services have been provided to or offered to the parties to facilitate reunion, specifying the services provided or offered;

(ii) Whether the child has been placed in the least-restrictive setting appropriate to the child's needs, including whether consideration has been given to placement with the child's relatives;

(iii) Whether there is a continuing need for placement and whether the placement is appropriate;

(iv) Whether there has been compliance with the case plan by the child, the child's parents, and the agency supervising the placement;

(v) Whether progress has been made toward correcting the problems that necessitated the child's placement in out-of-home care;

(vi) Whether the parents have visited the child and any reasons why visitation has not occurred or has been infrequent;

(vii) Whether additional services are needed to facilitate the return of the child to the child's parents; if so, the court shall order that reasonable services be offered specifying such services; and

(viii) The projected date by which the child will be returned home or other permanent plan of care will be implemented.

(c) The court at the review hearing may order that a petition seeking termination of the parent and child relationship be filed.

Sec. 5. RCW 13.70.110 and 1989 1st ex.s. c 17 s 13 are each amended to read as follows:

(1) This section shall apply to cases where a child has been placed in substitute care pursuant to a proceeding under chapter 13.34 RCW.

(2) Within forty-five days following commencement of the placement episode, the court shall assign the child's case to a board and forward to the board a copy of the dependency petition and any shelter care or dependency disposition orders which have been entered in the case by the court.

(3) The board shall review the case plan for each child whose case is assigned to the board by the court. The review shall take place at times set by the board. The first review shall occur within ninety days following commencement of the placement episode. The second review shall occur within six months following commencement of the placement episode. The next review shall occur within one year after commencement of the placement episode. Within eighteen months following commencement of the placement episode, a permanency planning hearing shall be held before the court in accordance with RCW 13.34.145. Thereafter, the court shall assign the child's case for a board review or a court review hearing pursuant to RCW 13.34.130(((4))) (5). A board review or court review hearing shall take place at least once every six months until the child is no longer within the jurisdiction of the court or no longer in substitute care or until a guardianship order or adoption decree is entered. After the permanency planning hearing, a court review hearing must occur at least once a year as provided in RCW 13.34.130. The board shall review any case where a petition to terminate parental rights has been denied, and such review shall occur as soon as practical but no later than forty-five days after the denial.

(4) The board shall prepare written findings and recommendations with respect to:

(a) Whether reasonable efforts were made before the placement to prevent or eliminate the need for removal of the child from the home, including whether consideration was given to removing the alleged offender, rather than the child, from the home;

(b) Whether reasonable efforts have been made subsequent to the placement to make it possible for the child to be returned home;

(c) Whether the child has been placed in the least-restrictive setting appropriate to the child's needs, including whether consideration has been given to placement with the child's relatives;

(d) Whether there is a continuing need for placement and whether the placement is appropriate;

(e) Whether there has been compliance with the case plan;

(f) Whether progress has been made toward alleviating the need for placement;

(g) A likely date by which the child may be returned home or other permanent plan of care may be implemented; and

(h) Other problems, solutions, or alternatives the board determines should be explored.

(5) Within ten working days following the review, the board shall send a copy of its findings and recommendations to the parents and their attorneys, the child's custodians and their attorneys, mature children and their attorneys, other attorneys or guardians ad litem appointed by the court to represent children, the department and other child placement agencies directly responsible for supervising the child's placement, and any prosecuting attorney or attorney general actively involved in the case. If the child is an Indian as defined in the Indian child welfare act, 25 U.S.C. Sec. 1901 et seq., a copy of the board's findings and recommendations shall also be sent to the child's Indian tribe.

(6) If the department is unable or unwilling to implement the board recommendations, the department shall submit to the board, within ten working days after receipt of the findings and recommendations, an implementation report setting forth the reasons why the department is unable or unwilling to implement the board's recommendations. The report will also set forth the case plan which the department intends to implement.

(7) Within forty-five days following the review, the board shall either:

(a) Schedule the case for further review by the board; or

(b) ~~((File with the court a motion for a review hearing;~~

~~(e)))~~ Submit to the court the board's findings and recommendations and the department's implementation reports, if any, and a proposed amended court order agreed to by the parties to the action, if any). If the board's recommendations are different from the existing court-ordered case plan, the board shall also file with the court a motion for a review hearing.

~~(8) ((Upon))~~ Within ten days of receipt of the board's written findings and recommendations, and the department's implementation report, if any, ((and the proposed amended court order, if any,)) the court shall ((either:

~~(a) Approve the recommendations; or~~

~~(b) Upon its own motion, schedule a review hearing))~~ review the findings and recommendations and any implementation reports. If the court finds it appropriate, the court may on its own motion schedule a review hearing.

(9) Unless modified by subsequent court order, the court-ordered case plan and court orders that are in effect at the time that a board reviews a case shall remain in full force and effect. Board findings and recommendations are advisory only and do not in any way modify existing court orders or court-ordered case plans.

(10) The findings and recommendations of the board and the department's implementation report, if any, shall become part of the department's case file and the court social file pertaining to the child.

~~((10))~~ (11) Nothing in this section shall limit or otherwise modify the rights of any party to a dependency proceeding to request and receive a court review hearing pursuant to the provisions of chapter 13.34 RCW or applicable court rules.

Sec. 6. RCW 13.34.210 and 1988 c 203 s 2 are each amended to read as follows:

If, upon entering an order terminating the parental rights of a parent, there remains no parent having parental rights, the court shall commit the child to the custody of the department of social and health services or to a licensed child-placing agency willing to accept custody for the purpose of placing the child for adoption, or in the absence thereof in a licensed foster home, or take other suitable measures for the care and welfare of the child. The custodian shall have authority to consent to the adoption of the child consistent with chapter 26.33 RCW, the marriage of the child, the enlistment of the child in the armed forces of the United States, necessary surgical and other medical treatment for the child, and to consent to such other matters as might normally be required of the parent of the child.

If a child has not been adopted within six months after the date of the order and a general guardian of the child has not been appointed by the court, the child shall be returned to the court for entry of further orders for his or her care, custody, and control,

and, except for children whose cases are reviewed by a citizen review board under chapter 13.70 RCW, the court shall review the case every six months thereafter until a decree of adoption is entered.

NEW SECTION. Sec. 7. RCW 13.70.900 and 1989 1st ex.s. c 17 s 19 are each repealed.

NEW SECTION. Sec. 8. 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 shall take effect immediately.

NEW SECTION. Sec. 9. If by June 30, 1991, the omnibus operating budget appropriations act for the 1991-93 biennium does not provide specific funding for this act, referencing this act by bill number, this act is null and void.

On page 1, line 2 of the title, after "courts;" strike the remainder of the title and insert "amending RCW 13.70.005, 13.70.010, 13.70.110, and 13.34.210; reenacting and amending RCW 13.34.130; adding a new section to chapter 13.70 RCW; creating a new section; repealing RCW 13.70.900; and declaring an emergency."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; McLean; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Wang; and Wineberry.

Excused: Representatives Holland; May; Mielke; Peery; and Vance.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1941 Prime Sponsor, Representative Bowman: Directing the department of social and health services to seek a federal waiver that would allow certain public assistance recipients to retain internship income. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Pruitt; Rust; H. Sommers; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Holland and Sprenkle.

Passed to Committee on Rules for second reading.

March 8, 1991

HB 1961 Prime Sponsor, Representative Wineberry: Adopting the Washington agricultural labor relations act. Reported by Committee on Appropriations

**MAJORITY recommendation:** Do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Appelwick; Belcher; Braddock; Brekke; Dorn; Ebersole; Hine; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Wang; and Wineberry.

**MINORITY recommendation:** Do not pass. Signed by Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Bowman; Ferguson; Fuhrman; Lisk; May; McLean; Mielke; Nealey; and Vance.

**Voting nay:** Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Bowman; Ferguson; Fuhrman; May; McLean; Mielke; Nealey; and Vance.

**Excused:** Representatives Belcher; Holland; and Lisk.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 1988 Prime Sponsor, Representative Braddock: Providing for nonvoting Indian delegates in the state legislature. Reported by Committee on Appropriations

**MAJORITY recommendation:** The substitute bill by Committee on State Government be substituted therefor, and the substitute bill do pass with the following amendment by Committee on Appropriations:

On page 2, line 8, after "process" insert ", including the right to participate during floor and committee debate. Delegates shall also be entitled to receive staff services provided by an administrative assistant"

Signed by Representatives Locke, Chair; Spanel, Vice Chair; Belcher; Braddock; Brekke; Dorn; Ebersole; Ferguson; Hine; Peery; Pruitt; Rust; Sprenkle; Valle; Wang; and Wineberry.

**MINORITY recommendation:** Do not pass. Signed by Representatives Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Bowman; Fuhrman; Lisk; McLean; Nealey; and H. Sommers.

**Voting nay:** Representatives Inslee, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Bowman; Fuhrman; Lisk; McLean; Nealey; and H. Sommers.

**Excused:** Representatives Holland; May; Mielke; and Vance.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 2015 Prime Sponsor, Representative Appelwick: Changing provisions relating to offenders. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor, and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Bowman; Braddock; Brekke; Dorn; Ferguson; Fuhrman; Hine; Holland; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

Excused: Representative Lisk.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 2026 Prime Sponsor, Representative Fraser: Providing for comprehensive water resources management. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill by Committee on Natural Resources & Parks be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Revenue:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) The legislature finds that:

(a) The state of Washington is faced with a continuing shortage of water with which to meet existing and future water needs;

(b) The state, local governments, federally recognized tribal governments, and various private interests representing a broad range of water users and interests have agreed to pursue a cooperative water resources planning and management effort. This effort will address both current water needs, conflicts, critical situations, and long-term future needs;

(c) Conservation and water use efficiency programs should be the preferred method of addressing water uses because they can relieve current critical water situations, provide for presently unmet needs, and assist in meeting future water needs. It is further recognized that other combinations of water management tools may be necessary to resolve particular water resource needs within regions of the state; and

(d) The interests of the state will be served by developing programs and regional water resource plans, in cooperation with local governments, federally recognized tribal governments, appropriate federal agencies, private citizens, and the various water users and water interests in the state, that increase the overall ability to manage the state's waters in order to better satisfy both present and future needs for water.

(2) Consistent with the findings of this section, the purposes of this act are to:

(a) Improve the ability of the state to work with the United States, local governments, federally recognized tribal governments, water users, and various water interests in water conservation and water use efficiency programs designed to satisfy existing rights, presently unmet needs, and future needs, both instream and out-of-stream;

(b) Establish new incentives, enhance existing incentives, and remove disincentives for efficient water use;

(c) Establish improved means to disseminate information to the public and provide technical assistance regarding ways to improve the efficiency of water use;

(d) Create a trust water rights mechanism for the acquisition of water rights on a voluntary basis to be used to meet presently unmet needs and future needs;

(e) Accelerate the adoption of water efficiency, conservation, and recycling, including water efficient plumbing fixtures, irrigation systems and methods, landscaping techniques, conservation rates, conservation plans, and wastewater reclamation and reuse;

(f) Eliminate tax disincentives to water conservation, reuse, and improved water use efficiency;

(g) Require evaluation of state facilities and property to identify cost-effective water use efficiency improvement opportunities;

(h) Add achievement of water conservation as a factor to be considered by water supply utilities in setting water rates;

(i) Establish a water restoration account for deposit of water resources civil penalties and for use in restoring damaged water and related resources; and

(j) Establish means for providing funding for water resources related initiatives, including planning and water conservation.

NEW SECTION. Sec. 2. A new section is added to chapter 90.54 RCW to read as follows:

(1) State funding of water resource, supply, and quality related capital programs, both current and future, shall, to the maximum extent possible within state or federal legal requirements, be directed to assist in the resolution of current conflicts and implementation of regional water resource plans with priority given to current needs over new requirements.

(2) Priority shall be given, to the maximum extent possible within state or federal legal requirements, to those water conservation projects funded by the state that will result in the greatest water savings.

NEW SECTION. Sec. 3. (1) The legislature finds that a need exists for a means to facilitate the voluntary transfer of water and water rights, including conserved water, to provide water for presently unmet needs and emerging needs. The purpose of this chapter is to provide the mechanism for accomplishing this in a manner that will not impair existing rights to water.

(2) This chapter applies to all areas of the state except the Yakima river basin, which is governed by chapter 90.38 RCW.

NEW SECTION. Sec. 4. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Department" means the department of ecology.

(2) "Net water savings" means the amount of water that is determined to be conserved and usable for other purposes without impairing water rights existing at the time that a water conservation project is undertaken, reducing the ability to deliver water, or reducing the supply of water that otherwise would have been available to other existing water uses.

(3) "Trust water right" means any water right acquired by the state under this chapter for management in the state's trust water rights program.

(4) "Water conservation project" means any project or program that achieves physical or operational improvements that provide for increased water use efficiency in existing systems of diversion, conveyance, application, or use of water under water rights existing on the effective date of this section.

NEW SECTION. Sec. 5. (1) For purposes of this chapter, the state may enter into contracts to provide moneys to assist in the financing of water conservation projects. In consideration for the financial assistance provided, the state shall obtain public benefits defined in guidelines developed under section 8 of this act.

(2) If the public benefits to be obtained require conveyance or modification of a water right, the recipient of funds shall convey to the state the recipient's interest in that part of the water right or claim constituting all or a portion of the resulting net water savings for deposit in the trust water rights program. The amount to be conveyed shall be finitely determined by the parties, in accordance with the guidelines developed under section 8 of this act, before the expenditure of state funds. Conveyance may consist of complete transfer, lease contracts, or other legally binding agreements.

(3) If, as a result of a water conservation project and conveyance to the state of net water savings as provided in this section, the remaining water right of the participant is in excess of the quantity that can be beneficially used, the participant may be required to relinquish the excess portion of the remaining water right.

(4) No contract for acquisition of trust water rights under this section may be entered into by the state unless it appears that, upon completion of a water conservation project or program financed with moneys as provided in this section, a valid water right or portion thereof will exist for conveyance to the state.

(5) The state shall cooperate fully with the United States in the implementation of this chapter. Trust water rights may be acquired through expenditure of funds provided by the United States and shall be treated in the same manner as trust water rights resulting from the expenditure of state funds.

(6) If water is proposed to be acquired by or conveyed to the state as a trust water right by an irrigation district, evidence of the district's authority to represent the water right holders shall be submitted to and for the satisfaction of the department.

(7) The state shall not contract with any person to acquire a water right served by an irrigation district without the approval of the board of directors of the irrigation district. Disapproval by a board shall be factually based on probable adverse effects on the ability of the district to deliver water to other members or on maintenance of the financial integrity of the district.

NEW SECTION. Sec. 6. (1) The state may acquire all or portions of existing water rights, by purchase, gift, or other appropriate means other than by condemnation, from any person or entity or combination of persons or entities. Once acquired, such rights are trust water rights.

(2) The department may enter into leases, contracts, or such other arrangements with other persons or entities as appropriate, to ensure that trust water rights acquired in accordance with this chapter may be exercised to the fullest possible extent.

(3) Trust water rights may be acquired by the state on a temporary or permanent basis.

NEW SECTION. Sec. 7. (1) All trust water rights acquired by the state shall be placed in the state trust water rights program to be managed by the department. Trust water rights acquired by the state shall be held or authorized for use by the department for instream flows, irrigation, municipal, or other beneficial uses consistent with applicable regional plans and critical resource area agreements, or for other areas of the state as determined by the department under the guidelines required in section 8 of this act.

(2) The department shall issue a water right certificate in the name of the state of Washington for each permanent trust water right conveyed to the state and shall issue a superseding certificate, if applicable, to the original water right holder for the portion of the water right required for beneficial use following such conveyance. The superseding certificate shall retain the same priority date as the original right. For nonpermanent conveyances, the department shall issue certificates or such other instruments as are necessary to reflect the changes in purpose or place of use or point of diversion or withdrawal. Water rights for which such nonpermanent conveyances are arranged shall not be subject to relinquishment for nonuse.

(3) A trust water right retains the same priority date as the water right from which it originated, but as between them the trust right shall be deemed to be inferior in priority unless otherwise specified by an agreement between the state and the party holding the original right.

(4) Exercise of a trust water right may be authorized only if the department first determines that neither water rights existing at the time the trust water right is established, nor the public interest will be impaired. If impairment becomes apparent during the time a trust water right is being exercised, the department shall cease or modify the use of the trust water right to eliminate the impairment.

(5) Before any trust water right is created or modified, the department shall, at a minimum, require that a notice be published in a newspaper of general circulation published in the county or counties in which the storage, diversion, and use are to be made, and in other newspapers as the department determines is necessary, once a week for two consecutive weeks. At the same time the department shall send a notice containing pertinent information to all appropriate state agencies, potentially affected local governments and federally recognized tribal governments, and other interested parties.

(6) RCW 90.14.140 through 90.14.230 have no applicability to trust water rights held by the department under this chapter or exercised under this section.

(7) RCW 90.03.380 has no applicability to trust water rights acquired by the state through the funding of water conservation projects.

**NEW SECTION.** Sec. 8. The department, in cooperation with federally recognized Indian tribes, local governments, state agencies, and other interested parties, shall establish guidelines by July 1, 1992, governing the acquisition, administration, and management of trust water rights. The guidelines shall address at a minimum the following:

(1) Methods for determining the net water savings resulting from water conservation projects or programs carried out in accordance with this chapter, and other factors to be considered in determining the quantity or value of water available for potential designation as a trust water right;

(2) Criteria for determining the portion of net water savings to be conveyed to the state under this chapter;

(3) Criteria for prioritizing water conservation projects;

(4) A description of potential public benefits that will affect consideration for state financial assistance in section 5 of this act;

(5) Procedures for providing notification to potentially interested parties;

(6) Criteria for the assignment of uses of trust water rights acquired in areas of the state not addressed in a regional water resource plan or critical area agreement; and

(7) Contracting procedures and other procedures not specifically addressed in this section.

**NEW SECTION.** Sec. 9. The policies and purposes of this chapter shall not be construed as replacing or amending the policies or the purposes for which funds available under chapter 43.83B or 43.99E RCW may be used.

**NEW SECTION.** Sec. 10. Nothing in this chapter authorizes the involuntary impairment of any existing water rights, nor shall this chapter apply to any projects or programs within the exterior boundaries of any Indian reservation without the express approval of the tribe.

**NEW SECTION.** Sec. 11. A new section is added to chapter 90.14 RCW to read as follows:

This chapter shall not apply to trust water rights held or exercised by the department of ecology under chapter 90.38 or 90.-- RCW (sections 3 through 10 of this act).

Sec. 12. RCW 90.03.380 and 1987 c 109 s 94 are each amended to read as follows:

The right to the use of water which has been applied to a beneficial use in the state shall be and remain appurtenant to the land or place upon which the same is used: **PROVIDED, HOWEVER,** That said right may be transferred to another or to others and

become appurtenant to any other land or place of use without loss of priority of right theretofore established if such change can be made without detriment or injury to existing rights. The point of diversion of water for beneficial use or the purpose of use may be changed, if such change can be made without detriment or injury to existing rights. Before any transfer of such right to use water or change of the point of diversion of water or change of purpose of use can be made, any person having an interest in the transfer or change, shall file a written application therefor with the department, and said application shall not be granted until notice of said application shall be published as provided in RCW 90.03.280. If it shall appear that such transfer or such change may be made without injury or detriment to existing rights, the department shall issue to the applicant a certificate in duplicate granting the right for such transfer or for such change of point of diversion or of use. The certificate so issued shall be filed and be made a record with the department and the duplicate certificate issued to the applicant may be filed with the county auditor in like manner and with the same effect as provided in the original certificate or permit to divert water.

This section shall not apply to trust water rights acquired by the state through the funding of water conservation projects under chapter 90.38 or 90.-- RCW (sections 3 through 10 of this 1991 act).

Sec. 13. RCW 19.27.170 and 1989 c 348 s 8 are each amended to read as follows:

(1) The state building code council shall adopt rules under chapter 34.05 RCW that implement and incorporate the water conservation performance standards in subsections ~~((3))~~ (4) and ~~((4))~~ (5) of this section. These standards shall apply to all new construction and all remodeling involving replacement of plumbing fixtures in all residential, hotel, motel, school, industrial, commercial use, or other occupancies determined by the council to use significant quantities of water.

(2) The legislature recognizes that a phasing-in approach to these new standards is appropriate. Therefore, standards in subsection ~~((3))~~ (4) of this section shall take effect on July 1, 1990. The standards in subsection ~~((4))~~ (5) of this section shall take effect July 1, 1993.

(3) No individual, public or private corporation, firm, political subdivision, government agency, or other legal entity may, for purposes of use in this state, distribute, sell, offer for sale, import, install, or approve for installation any plumbing fixtures unless the fixtures meet the standards as provided for in this section.

(4) Standards for water use efficiency effective July 1, 1990.

(a) Standards for waterclosets. The guideline for maximum water use allowed in gallons per flush (gpf) for any of the following waterclosets is the following:

Tank-type toilets . . . . .	3.5 gpf.
Flushometer-valve toilets . . . . .	3.5 gpf.
Flushometer-tank toilets . . . . .	3.5 gpf.
Electromechanical hydraulic toilets . . . . .	3.5 gpf.

(b) Standard for urinals. The guideline for maximum water use allowed for any urinal is 3.0 gallons per flush.

(c) Standard for showerheads. The guideline for maximum water use allowed for any showerhead is 3.0 gallons per minute.

(d) Standard for faucets. The guideline for maximum water use allowed in gallons per minute (gpm) for any of the following faucets and replacement aerators is the following:

Bathroom faucets . . . . .	3.0 gpm.
Lavatory faucets . . . . .	3.0 gpm.
Kitchen faucets . . . . .	3.0 gpm.
Replacement aerators . . . . .	3.0 gpm.

(e) Except where designed and installed for use by the physically handicapped, lavatory faucets located in restrooms intended for use by the general public must be

equipped with a metering valve designed to close by spring or water pressure when left unattended (self-closing).

(f) No urinal or watercloset that operates on a continuous flow or continuous flush basis shall be permitted.

~~((4))~~ (5) Standards for water use efficiency effective July 1, 1993.

(a) Standards for waterclosets. The guideline for maximum water use allowed in gallons per flush (gpf) for any of the following waterclosets is the following:

- Tank-type toilets . . . . . 1.6 gpf.
- Flushometer-tank toilets . . . . . 1.6 gpf.
- Electromechanical hydraulic toilets . . . . . 1.6 gpf.

(b) Standards for urinals. The guideline for maximum water use allowed for any urinal is 1.0 gallons per flush.

(c) Standards for showerheads. The guideline for maximum water use allowed for any showerhead is 2.5 gallons per minute.

(d) Standards for faucets. The guideline for maximum water use allowed in gallons per minute for any of the following faucets and replacement aerators is the following:

- Bathroom faucets . . . . . 2.5 gpm.
- Lavatory faucets . . . . . 2.5 gpm.
- Kitchen faucets . . . . . 2.5 gpm.
- Replacement aerators . . . . . 2.5 gpm.

(e) Except where designed and installed for use by the physically handicapped, lavatory faucets located in restrooms intended for use by the general public must be equipped with a metering valve designed to close by water pressure when unattended (self-closing).

(f) No urinal or watercloset that operates on a continuous flow or continuous basis shall be permitted.

~~((5) The building code council shall make an assessment regarding the low volume fixtures required under subsection (4) of this section. The assessment shall consider the availability of low volume fixtures which are technologically feasible, will operate effectively, and are economically justified. The council shall also assess the potential impact on the necessary flow or water required to insure sewerage or septic lines and treatment plants will effectively operate.~~

~~The council shall submit a report to the chief clerk of the house of representatives and the secretary of the senate by October 30, 1992, setting forth its conclusions, and any recommendations for legislative action.)~~

(6) The building code council shall establish methods and procedures for testing and identifying fixtures that meet the standards established in this section. The council shall use the testing standards designated as American national standards, written under American national standards institute procedures or other widely recognized national testing standards. The council shall either review test results from independent testing laboratories that are submitted by manufacturers of plumbing fixtures or accept data submitted to and evaluated by the international association of plumbing and mechanical officials. The council shall publish and widely distribute a current list of fixtures that meet the standards of this section.

(7) The building code council shall adopt rules for marking and labeling fixtures meeting the standards of this section.

(8) This section shall not apply to fixtures installed before the effective date of this section that are removed and relocated to another room or area of the same building after the effective date of this section, nor shall it apply to fixtures, as determined by the council, that in order to perform a specialized function, cannot meet the standards specified in this section.

(9) The water conservation performance standards shall supersede all local government codes. After July 1, 1990, cities, towns, and counties shall not amend the

code revisions and standards established under subsection (~~(((3)-or))~~) (4) or (5) of this section.

Sec. 14. RCW 35.67.020 and 1965 c 7 s 35.67.020 are each amended to read as follows:

Every city and town may construct, condemn and purchase, acquire, add to, maintain, conduct, and operate systems of sewerage and systems and plants for refuse collection and disposal together with additions, extensions, and betterments thereto, within and without its limits, with full jurisdiction and authority to manage, regulate, and control them and to fix, alter, regulate, and control the rates and charges for the use thereof: PROVIDED, That the rates charged must be uniform for the same class of customers or service. In classifying customers served or service furnished by such system of sewerage, the city or town legislative body may in its discretion consider any or all of the following factors: The difference in cost of service to the various customers; the location of the various customers within and without the city or town; the difference in cost of maintenance, operation, repair, and replacement of the various parts of the system; the different character of the service furnished various customers; the quantity and quality of the sewage delivered and the time of its delivery; the achievement of water conservation goals and the discouragement of wasteful water use practices; capital contributions made to the system, including but not limited to, assessments; and any other matters which present a reasonable difference as a ground for distinction.

Sec. 15. RCW 35.92.010 and 1985 c 445 s 4 and 1985 c 444 s 2 are each reenacted and amended to read as follows:

A city or town may construct, condemn and purchase, purchase, acquire, add to, alter, maintain and operate waterworks, within or without its limits, for the purpose of furnishing the city and its inhabitants, and any other persons, with an ample supply of water for all purposes, public and private, including water power and other power derived therefrom, with full power to regulate and control the use, distribution, and price thereof: PROVIDED, That the rates charged must be uniform for the same class of customers or service. Such waterworks may include facilities for the generation of electricity as a byproduct and such electricity may be used by the city or town or sold to an entity authorized by law to distribute electricity. Such electricity is a byproduct when the electrical generation is subordinate to the primary purpose of water supply. In classifying customers served or service furnished, the city or town governing body may in its discretion consider any or all of the following factors: The difference in cost of service to the various customers; location of the various customers within and without the city or town; the difference in cost of maintenance, operation, repair, and replacement of the various parts of the system; the different character of the service furnished various customers; the quantity and quality of the water furnished; the time of its use; the achievement of water conservation goals and the discouragement of wasteful water use practices; capital contributions made to the system including, but not limited to, assessments; and any other matters which present a reasonable difference as a ground for distinction. No rate shall be charged that is less than the cost of the water and service to the class of customers served.

For such purposes any city or town may take, condemn and purchase, purchase, acquire, and retain water from any public or navigable lake or watercourse, surface or ground, and, by means of aqueducts or pipe lines, conduct it to the city or town; and it may erect and build dams or other works across or at the outlet of any lake or watercourse in this state for the purpose of storing and retaining water therein up to and above high water mark; and for all the purposes of erecting such aqueducts, pipe lines, dams, or waterworks or other necessary structures in storing and retaining water, or for any of the purposes provided for by this chapter, the city or town may occupy and use the beds and shores up to the high water mark of any such watercourse or lake, and acquire the right by purchase, or by condemnation and purchase, or otherwise, to any

water, water rights, easements or privileges named in this chapter, or necessary for any of said purposes, and the city or town may acquire by purchase or condemnation and purchase any properties or privileges necessary to be had to protect its water supply from pollution. Should private property be necessary for any such purposes or for storing water above high water mark, the city or town may condemn and purchase, or purchase and acquire such private property. For the purposes of waterworks which include facilities for the generation of electricity as a byproduct, nothing in this section may be construed to authorize a city or town that does not own or operate an electric utility system to condemn electric generating, transmission, or distribution rights or facilities of entities authorized by law to distribute electricity, or to acquire such rights or facilities without the consent of the owner.

Sec. 16. RCW 56.16.090 and 1974 ex.s. c 58 s 3 are each amended to read as follows:

The sewer commissioners of any sewer district, in the event that such sewer revenue bonds are issued, shall provide for revenues by fixing rates and charges for the furnishing of sewerage disposal service to those to whom such service is available. Such rates and charges may be combined for the furnishing of more than one type of sewer service such as but not limited to storm or surface water and sanitary. Such rates and charges are to be fixed as deemed necessary by such sewer commissioners, so that uniform charges will be made for the same class of customer or service. In classifying customers served or service furnished by such system of sewerage, the board of commissioners may in its discretion consider any or all of the following factors: The difference in cost of service to the various customers; the location of the various customers within and without the district; the difference in cost of maintenance, operation, repair, and replacement of the various parts of the system; the different character of the service furnished various customers; the quantity and quality of the sewage delivered and the time of its delivery; the achievement of water conservation goals and the discouragement of wasteful water use practices; capital contributions made to the system including but not limited to assessments; and any other matters which present a reasonable difference as a ground for distinction. Such rates are to be made on a monthly basis and shall produce revenues sufficient to take care of the costs of maintenance and operation, revenue bond and warrant interest and principal amortization requirements, and all other charges necessary for efficient and proper operation of the system.

Sec. 17. RCW 57.20.020 and 1983 c 167 s 164 are each amended to read as follows:

(1) Whenever any issue or issues of water revenue bonds have been authorized in compliance with the provisions of RCW 57.16.010 through 57.16.040, said bonds shall be in bearer form or registered as to principal or interest or both, as provided in RCW 39.46.030, and may provide for conversion between registered and coupon bonds; shall be in such denominations, shall be numbered, shall bear such date, and shall be payable at such time or times up to a maximum period of not to exceed thirty years as shall be determined by the board of water commissioners of the district; shall bear interest at such rate or rates payable at such time or times as authorized by the board; shall be payable at the office of the county treasurer of the county in which the water district is located and may also be payable at such other place or places as the board of water commissioners may determine; shall be executed by the president of the board of water commissioners and attested and sealed by the secretary thereof, one of which signatures may, with the written permission of the signator whose facsimile signature is being used, be a facsimile; and may have facsimile signatures of said president or secretary imprinted on any interest coupons in lieu of original signatures.

The water district commissioners shall have power and are required to create a special fund or funds for the sole purpose of paying the interest and principal of such bonds into which special fund or funds the said water district commissioners shall obligate

and bind the water district to set aside and pay a fixed proportion of the gross revenues of the water supply system or any fixed amount out of and not exceeding a fixed proportion of such revenues, or a fixed amount or amounts without regard to any fixed proportion and such bonds and the interest thereof shall be payable only out of such special fund or funds, but shall be a lien and charge against all revenues and payments received from any utility local improvement district or districts pledged to secure such bonds, subject only to operating and maintenance expenses.

In creating any such special fund or funds the water district commissioners of such water district shall have due regard to the cost of operation and maintenance of the plant or system as constructed or added to and to any proportion or part of the revenue previously pledged as a fund for the payment of bonds, warrants or other indebtedness, and shall not set aside into such special fund a greater amount or proportion of the revenue and proceeds than in their judgment will be available over and above such cost of maintenance and operation and the amount or proportion, if any, of the revenue so previously pledged. Any such bonds and interest thereon issued against any such fund as herein provided shall be a valid claim of the owner thereof only as against the said special fund and its fixed proportion or amount of the revenue pledged to such fund, and shall not constitute an indebtedness of such water district within the meaning of the constitutional provisions and limitations. Each such bond shall state upon its face that it is payable from a special fund, naming the said fund and the resolution creating it. Said bonds shall be sold in such manner, at such price and at such rate or rates of interest as the water district commissioners shall deem for the best interests of the water district, either at public or private sale, and the said commissioners may provide in any contract for the construction and acquirement of the proposed improvement (and for the refunding of outstanding local improvement district obligations, if any) that payment therefor shall be made in such bonds at par value thereof.

When any such special fund shall have been heretofore or shall be hereafter created and any such bonds shall have been heretofore or shall hereafter be issued against the same a fixed proportion or a fixed amount out of and not to exceed such fixed proportion, or a fixed amount or amounts without regard to any fixed proportion, of revenue shall be set aside and paid into said special fund as provided in the resolution creating such fund or authorizing such bonds, and in case any water district shall fail thus to set aside and pay said fixed proportion or amount as aforesaid, the owner of any bond payable from such special fund may bring suit or action against the water district and compel such setting aside and payment.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter 39.46 RCW.

(3) The water district commissioners of any water district, in the event that such water revenue bonds are issued, shall provide for revenues by fixing rates and charges for the furnishing of water supply to those receiving such service, such rates and charges to be fixed as deemed necessary by such water district commissioners, so that uniform charges will be made for the same class of customer or service.

In classifying customers served or service furnished by such water supply system, the board of water commissioners may in its discretion consider any or all of the following factors: The difference in cost of service to the various customers; the location of the various customers within and without the district; the difference in cost of maintenance, operation, repair and replacement of the various parts of the system; the different character of the service furnished various customers; the quantity and quality of the water furnished; the time of its use; the achievement of water conservation goals and the discouragement of wasteful practices; capital contributions made to the system including but not limited to assessments; and any other matters which present a reasonable difference as a ground for distinction. Such rates shall be made on a monthly basis as may be deemed proper by such commissioners and as fixed by resolution and shall

produce revenues sufficient to take care of the costs of maintenance and operation, revenue bond and warrant interest and principal amortization requirements and all other charges necessary for efficient and proper operation of the system.

Sec. 18. RCW 54.24.080 and 1959 c 218 s 9 are each amended to read as follows:

(1) The commission of each district which shall have revenue obligations outstanding shall have the power and shall be required to establish, maintain, and collect rates or charges for electric energy and water and other services, facilities, and commodities sold, furnished, or supplied by the district which shall be fair and nondiscriminatory and adequate to provide revenues sufficient for the payment of the principal of and interest on such revenue obligations for which the payment has not otherwise been provided and all payments which the district is obligated to set aside in any special fund or funds created for such purpose, and for the proper operation and maintenance of the public utility and all necessary repairs, replacements, and renewals thereof.

(2) In establishing rates or charges for water service, commissioners may in their discretion consider the achievement of water conservation goals and the discouragement of wasteful water use practices.

Sec. 19. RCW 80.28.010 and 1990 1st ex.s. c 1 s 5 are each amended to read as follows:

(1) All charges made, demanded or received by any gas company, electrical company or water company for gas, electricity or water, or for any service rendered or to be rendered in connection therewith, shall be just, fair, reasonable and sufficient.

(2) Every gas company, electrical company and water company shall furnish and supply such service, instrumentalities and facilities as shall be safe, adequate and efficient, and in all respects just and reasonable.

(3) All rules and regulations issued by any gas company, electrical company or water company, affecting or pertaining to the sale or distribution of its product, shall be just and reasonable.

(4) Until June 30, 1991:

(a) Utility service for residential space heating shall not be terminated between November 15 through March 15 if the customer:

(i) Notifies the utility of the inability to pay the bill, including a security deposit. This notice should be provided within five business days of receiving a payment overdue notice unless there are extenuating circumstances. If the customer fails to notify the utility within five business days and service is terminated, the customer can, by paying reconnection charges, if any, and fulfilling the requirements of this section, receive the protections of this chapter;

(ii) Provides self-certification of household income for the prior twelve months to a grantee of the department of community development which administers federally funded energy assistance programs. The grantee shall determine that the household income does not exceed the maximum allowed for eligibility under the state's plan for low-income energy assistance under 42 U.S.C. 8624 and shall provide a dollar figure that is seven percent of household income. The grantee may verify information provided in the self-certification;

(iii) Has applied for home heating assistance from applicable government and private sector organizations and certifies that any assistance received will be applied to the current bill and future utility bills;

(iv) Has applied for low-income weatherization assistance to the utility or other appropriate agency if such assistance is available for the dwelling;

(v) Agrees to a payment plan and agrees to maintain the payment plan. The plan will be designed both to pay the past due bill by the following October 15 and to pay for continued utility service. If the past due bill is not paid by the following October 15, the customer shall not be eligible for protections under this chapter until the past due bill is

paid. The plan shall not require monthly payments in excess of seven percent of the customer's monthly income plus one-twelfth of any arrearage accrued from the date application is made and thereafter during November 15 through March 15. A customer may agree to pay a higher percentage during this period, but shall not be in default unless payment during this period is less than seven percent of monthly income plus one-twelfth of any arrearage accrued from the date application is made and thereafter. If assistance payments are received by the customer subsequent to implementation of the plan, the customer shall contact the utility to reformulate the plan; and

(vi) Agrees to pay the moneys owed even if he or she moves.

(b) The utility shall:

(i) Include in any notice that an account is delinquent and that service may be subject to termination, a description of the customer's duties in this section;

(ii) Assist the customer in fulfilling the requirements under this section;

(iii) Be authorized to transfer an account to a new residence when a customer who has established a plan under this section moves from one residence to another within the same utility service area;

(iv) Be permitted to disconnect service if the customer fails to honor the payment program. Utilities may continue to disconnect service for those practices authorized by law other than for nonpayment as provided for in this subsection. Customers who qualify for payment plans under this section who default on their payment plans and are disconnected can be reconnected and maintain the protections afforded under this chapter by paying reconnection charges, if any, and by paying all amounts that would have been due and owing under the terms of the applicable payment plan, absent default, on the date on which service is reconnected; and

(v) Advise the customer in writing at the time it disconnects service that it will restore service if the customer contacts the utility and fulfills the other requirements of this section.

(c) A payment plan implemented under this section is consistent with RCW 80.28.080.

(5) Every gas company and electrical company shall offer residential customers the option of a budget billing or equal payment plan. The budget billing or equal payment plan shall be offered low-income customers eligible under the state's plan for low-income energy assistance prepared in accordance with 42 U.S.C. 8624(C)(1) without limiting availability to certain months of the year, without regard to the length of time the customer has occupied the premises, and without regard to whether the customer is the tenant or owner of the premises occupied.

(6) Every gas company, electrical company and water company shall construct and maintain such facilities in connection with the manufacture and distribution of its product as will be efficient and safe to its employees and the public.

(7) An agreement between the customer and the utility, whether oral or written, shall not waive the protections afforded under this chapter.

(8) In establishing rates or charges for water service, water companies as defined in RCW 80.04.010 may consider the achievement of water conservation goals and the discouragement of wasteful water use practices.

Sec. 20. RCW 80.28.025 and 1980 c 149 s 2 are each amended to read as follows:

(1) In establishing rates for each gas and electric company regulated by this chapter, the commission shall adopt policies to encourage meeting or reducing energy demand through cogeneration as defined in RCW 82.35.020, measures which improve the efficiency of energy end use, and new projects which produce or generate energy from renewable resources, such as solar energy, wind energy, hydroelectric energy, geothermal energy, wood, wood waste, municipal wastes, agricultural products and wastes, and end-use waste heat. These policies shall include but are not limited to allowing a return on investment in measures to improve the efficiency of energy end use, cogeneration, or

projects which produce or generate energy from renewable resources which return is established by adding an increment of two percent to the rate of return on common equity permitted on the company's other investment. Measures or projects encouraged under this section are those for which construction or installation is begun after June 12, 1980, and before January 1, 1990, and which, at the time they are placed in the rate base, are reasonably expected to save, produce, or generate energy at a total incremental system cost per unit of energy delivered to end use which is less than or equal to the incremental system cost per unit of energy delivered to end use from similarly available conventional energy resources which utilize nuclear energy or fossil fuels and which the gas or electric company could acquire to meet energy demand in the same time period. The rate of return increment shall be allowed for a period not to exceed thirty years after the measure or project is first placed in the rate base.

(2) In establishing rates for water companies regulated by this chapter, the commission may consider the achievement of water conservation goals and the discouragement of wasteful water use practices.

NEW SECTION. Sec. 21. A new section is added to chapter 90.03 RCW to read as follows:

The water restoration account is created in the state treasury. All receipts from the collection of penalties under RCW 90.03.600 and 18.104.155 shall be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for the restoration of water and related resources damaged by violations of chapters 18.104, 43.83B, 90.03, 90.22, 90.44, and 90.54 RCW, and rules, permits, and other documents or orders issued by the department of ecology in enforcing those chapters.

NEW SECTION. Sec. 22. A new section is added to chapter 90.54 RCW to read as follows:

The water management account is created in the state treasury. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for water resources planning and management.

NEW SECTION. Sec. 23. A new section is added to chapter 18.104 RCW to read as follows:

Civil penalties collected under RCW 18.104.155 shall be deposited in the water restoration account created in section 21 of this act.

NEW SECTION. Sec. 24. Sections 3 through 10 of this act shall constitute a new chapter in Title 90 RCW.

NEW SECTION. Sec. 25. This act shall be null and void in the event that the legislature fails to appropriate funds for this act by July 1, 1991, and if such appropriation does not derive from new revenues developed pursuant to this act.

NEW SECTION. Sec. 26. 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.

On page 1, line 1 of the title, after "management;" strike the remainder of the title and insert "amending RCW 90.03.380, 19.27.170, 35.67.020, 56.16.090, 57.20.020, 54.24.080, 80.28.010, and 80.28.025; reenacting and amending RCW 35.92.010; adding new sections to chapter 90.54 RCW; adding a new section to chapter 90.14 RCW; adding a new section to chapter 90.03 RCW; adding a new section to chapter 18.104 RCW; adding a new chapter to Title 90 RCW; and creating new sections."

Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member;

Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; and Rust.

MINORITY recommendation: Do not pass. Signed by Representatives Silver and Van Luvan.

Voting nay: Representative Van Luvan.

Excused: Representative Silver.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 2027 Prime Sponsor, Representative Ballard: Providing for refund of or credit toward new enrollment for higher education costs for students deployed because of the Gulf war. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

On page 1, line 11, after "community college," insert "or"

On page 1, line 12, after "institute" strike ", degree-granting institution, or private vocational school"

On page 3, beginning on line 1, strike all of sections 3, 4, and 5

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 13, after line 27, insert the following:

NEW SECTION. Sec. 13. Private vocational schools and private higher education institutions are encouraged to provide students deployed to the Persian Gulf with the choice of tuition refunds or one free term, as provided under sections 1 and 2 of this act for public higher education institutions.

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 3 of the title, strike "new sections" and insert "a new section"

On page 1, line 4 of the title, after "28B.15 RCW;" strike all material through "28B.85 RCW;" on line 5 and insert "creating a new section;"

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Fuhrman; Hine; Holland; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Valle; Vance; and Wang.

Excused: Representatives Ferguson; Lisk; Sprenkle; Vance; and Wang.

Passed to Committee on Rules for second reading.

March 10, 1991

**HB 2030** Prime Sponsor, Representative Spanel: Requiring information on and repealing various higher education tuition and fee waivers, reduced fees, and residency exemptions. Reported by Committee on Appropriations

**MAJORITY recommendation:** The substitute bill by Committee on Higher Education be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

On page 2, beginning on line 1, strike all of sections 2 and 3 and insert the following:

**NEW SECTION.** Sec. 2. (1) By December 1, 1991, the higher education coordinating board, in cooperation with the house of representatives and senate higher education and fiscal committees, shall develop and recommend evaluation criteria for tuition waiver, reduced fee, and residency exemption programs. The criteria shall include, but not be limited to, consideration of a financial needs test and a reauthorization requirement. The criteria for space-available waiver programs shall include, but not be limited to, consideration of overall access, demand, and effectiveness in achieving program goals.

(2) Using the criteria, the board shall review and evaluate existing waiver, reduced fee, and residency exemption programs on a phased schedule that completes all reviews by December 1, 1996. Following the initial review, the board shall review each program at least once every ten years. The board shall recommend the continuation, modification, or termination of each program to the governor, the legislature, and the institutions of higher education. Using the appropriate criteria, the board shall review and evaluate the space available waiver programs by June 30, 1992.

**NEW SECTION.** Sec. 3. It is the intent of the legislature that any new or reauthorized waiver, reduced fee, or residency exemption program include a provision for evaluation using the criteria developed under the provisions of section 2 of this act.

Sec. 4. RCW 28B.15.535 and 1985 c 390 s 28 are each amended to read as follows:

(1) The boards of regents of the state universities and the boards of trustees of regional universities, The Evergreen State College, and community colleges may waive the tuition and services and activities fees for full-time employees of their respective institutions of higher education enrolled in said institutions' courses on a space available basis pursuant to the following conditions:

(a) Employees shall register for and be enrolled in courses on a space available basis, and no new course sections shall be created as a direct result of such registration;

(b) Enrollment information on employees registered on a space available basis shall be maintained separately from other enrollment information and shall not be included in official enrollment reports, nor shall persons enrolled pursuant to the provisions of this section be considered in any enrollment statistics which would affect budgetary determinations;

(c) Employees registering on a space available basis shall be charged a registration fee ((of not less than five dollars)) that will fully cover institutional costs of administering each employee's enrollment.

(2) The governing boards of the respective colleges and universities may waive tuition and services and activities fees for full-time intercollegiate center for nursing education, cooperative extension service, and agricultural research employees of Washington State University for such employees stationed off the Pullman, Whitman county campus: PROVIDED, That such waiver complies with the conditions spelled out in subsection (1)(a), (b), and (c) above.

(3) The boards of regents of the state universities, the boards of trustees of the regional universities and The Evergreen State College, and the state board for community college education with respect to community colleges, shall adopt guidelines for the implementation of employee waivers granted pursuant to this section.

Sec. 5. RCW 28B.15.558 and 1990 c 88 s 1 are each amended to read as follows:

(1) The governing boards of state institutions of higher education as defined in RCW 28B.10.016 may waive the tuition and services and activities fees for state employees as defined under subsection (2) of this section pursuant to the following conditions:

(a) Such state employees shall register for and be enrolled in courses on a space available basis and no new course sections shall be created as a result of the registration;

(b) Enrollment information on state employees registered pursuant to this section shall be maintained separately from other enrollment information and shall not be included in official enrollment reports, nor shall such state employees be considered in any enrollment statistics which would affect budgetary determinations; and

(c) State employees registering on a space available basis shall be charged a registration fee ~~((of not less than five dollars))~~ that will fully cover institutional costs of administering each state employee's enrollment.

(2) For the purposes of this section, "state employees" means permanent full-time employees in classified service under chapters 28B.16 and 41.06 RCW.

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 3, line 1, strike "4" and insert "3"

On page 1, line 2 of the title, after "exemptions;" strike "and" and insert "amending RCW 28B.15.535 and 28B.15.558;"

On page 1, line 3 of the title, after "RCW" insert "; and creating a new section"

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ferguson; Fuhrman; Hine; Lisk; McLean; Nealey; Pruitt; Rust; H. Sommers; Wang; and Wineberry

Excused: Representatives Holland; May; Mielke; Sprenkle; and Vance.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 2037 Prime Sponsor, Representative Morris: Modifying requirements for radiologic technologists. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; and Silver.

Excused: Representative Van Luven.

Passed to Committee on Rules for second reading.

March 8, 1991

HB 2057 Prime Sponsor, Representative Day: Allowing public facilities districts to impose excise tax. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Appelwick; Belcher; Brumsickle; Day; Morris; Morton; Phillips; and Silver.

MINORITY recommendation: Do not pass. Signed by Representatives Fraser, Vice Chair; Holland, Ranking Minority Member; and Wynne, Assistant Ranking Minority Member.

Excused: Representative Van Luvan.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 2086 Prime Sponsor, Representative Appelwick: Creating a central filing system for security interests in farm crops. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

On page 13, after line 16, strike all of section 14

Renumber remaining sections consecutively and correct internal references accordingly.

On page 1, line 4 of the title, after "penalties;" strike "making an appropriation;"

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Belcher; Braddock; Brekke; Dorn; Ebersole; Ferguson; Hine; May; McLean; Mielke; Nealey; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

MINORITY recommendation: Without recommendation. Signed by Representatives Bowman and Fuhrman.

Excused: Representatives Spanel, Vice Chair; Braddock; Holland; Lisk; and Peery.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 2093 Prime Sponsor, Representative Locke: Modifying authorized uses of the excise tax on lodgings. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; Silver; and Van Luven.

Excused: Representative Silver.

Passed to Committee on Rules for second reading.

March 10, 1991

HB 2095 Prime Sponsor, Representative R. Johnson: Establishing a counseling network for veterans and their families. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on State Government be substituted therefor, and the substitute bill do pass with the following amendments by Committee on Appropriations:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The department of veterans affairs, to the extent funds are made available, shall: (1) Contract with professional counseling specialists to provide a range of direct treatment services to war-affected state veterans and to those national guard and reservists who served in the Middle East, and their family members; (2) provide additional treatment services to Washington state Vietnam veterans for post traumatic stress disorder, particularly for those veterans whose post traumatic stress disorder has intensified or initially emerged due to the war in the Middle East; (3) provide an educational program designed to train primary care professionals, such as mental health professionals, about the effects of war-related stress and trauma; (4) provide informational and counseling services for the purpose of establishing and fostering peer-support networks throughout the state for families of deployed members of the reserves and the Washington national guard; (5) provide for veterans' families, a referral network of community mental health providers who are skilled in treating deployment stress, combat stress, and post traumatic stress.

NEW SECTION. Sec. 2. The department shall coordinate the programs contained in section 1 of this act with the services offered by the department of social and health services, local mental health organizations, and the federal department of veterans affairs to minimize duplication.

NEW SECTION. Sec. 3. The department of veterans affairs shall give priority in its counseling and instructional programs to treating state veterans located in rural areas of the state, especially those who are members of traditionally underserved minority groups, and women veterans.

NEW SECTION. Sec. 4. The department of veterans affairs shall design its post traumatic stress disorder and combat stress programs and related activities to provide veterans with as much privacy and confidentiality as possible and yet consistent with sound program management.

NEW SECTION. Sec. 5. Sections 1 through 4 of this act are each added to chapter 43.60A RCW.

NEW SECTION. Sec. 6. 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 shall take effect immediately.

On page 1, line 1 of the title, after "dependents;" strike the remainder of the title and insert "adding new sections to chapter 43.60A RCW; and declaring an emergency."

Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; and Wang.

Excused: Representative Holland.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 2114 Prime Sponsor, Representative Prince: Authorizing loans and grants to preserve underground petroleum storage tanks in rural areas. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Financial Institutions & Insurance be substituted therefor, and the substitute bill do pass. Signed by Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Braddock; Brekke; Dorn; Ebersole; Ferguson; Hine; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprengle; Valle; Vance; Wang; and Wineberry.

Excused: Representatives Holland and Lisk.

Passed to Committee on Rules for second reading.

March 8, 1991

HB 2137 Prime Sponsor, Representative Wang: Changing excise tax on carbonated beverages and syrups. Reported by Committee on Revenue

MAJORITY recommendation: That Substitute House Bill No. 2137 be substituted therefor, and the substitute bill do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Belcher; Brumsickle; Day; Leonard; Morris; Morton; Phillips; Rust; and Silver.

Excused: Representative Van Luvan.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 2140 Prime Sponsor, Representative Schmidt: Assisting transportation agencies in budgeting and planning. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 2140 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betzoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 2151 Prime Sponsor, Representative R. Fisher: Revising provisions relating to high capacity transportation systems. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute House Bill No. 2151 be substituted therefor, and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Betzoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Basich; Brough; Cantwell; Cooper; Day; G. Fisher; Forner; Haugen; Heavey; Horn; P. Johnson; R. Johnson; Jones; Kremen; Mitchell; Nelson; Orr; Prentice; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Passed to Committee on Rules for second reading.

March 9, 1991

HB 2180 Prime Sponsor, Representative Braddock: Authorizing a hotel/motel tax for certain cities in first class counties. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Appelwick; Belcher; Day; Leonard; Morris; Phillips; Rust; and Silver.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Brumsickle; and Morton.

Excused: Representatives Belcher and Van Luven.

Passed to Committee on Rules for second reading.

March 10, 1991

HJR 4207 Prime Sponsor, Representative Wang: Amending the Constitution to allow the legislature to phase-in large increases in property assessments. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Fraser, Vice Chair; Holland, Ranking Minority Member; Wynne, Assistant Ranking Minority Member; Appelwick; Day; Leonard; Morris; Phillips; Rust; and Van Loven.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher; Brumsickle; Morton; and Silver.

Passed to Committee on Rules for second reading.

March 7, 1991

HJR 4211 Prime Sponsor, Representative R. Fisher: Permitting motor vehicle taxes to be used for transportation purposes. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair; Basich; Brough; Cantwell; Cooper; G. Fisher; Haugen; Heavey; R. Johnson; Jones; Kremen; Nelson; and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Betrozoff, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Day; Former; Horn; P. Johnson; Mitchell; Orr; Prince; Schmidt; Wilson; Wood; and Zellinsky.

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Mr. Ebersole, the bills and resolutions listed on today's 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 eleventh order of business.

#### MOTION

On motion of Mr. Ebersole, the House adjourned until 9:30 a.m., Tuesday, March 12, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**FIFTY-EIGHTH DAY**

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**MORNING SESSION**

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House Chamber, Olympia, Tuesday, March 12, 1991

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Brekke, Locke, Phillips, H. Sommers and Sprenkle. On motion of Mr. Bray, Representative Locke was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Brian Hoogendoorn and Melissa Warren. Prayer was offered by The Reverend Ron Gadde, Minister of Gloria Dei Lutheran Church of Olympia.

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

**MESSAGE FROM THE SENATE**

March 11, 1991

Mr. Speaker:

The Senate has passed:

HOUSE JOINT MEMORIAL NO. 4020,  
 SUBSTITUTE SENATE BILL NO. 5092,  
 ENGROSSED SENATE BILL NO. 5140,  
 SUBSTITUTE SENATE BILL NO. 5322,  
 SUBSTITUTE SENATE BILL NO. 5332,  
 SENATE BILL NO. 5444,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5481,  
 SUBSTITUTE SENATE BILL NO. 5520,  
 SENATE BILL NO. 5731,  
 SUBSTITUTE SENATE BILL NO. 5759,

and the same are herewith transmitted.

W. D. Naismith, Deputy Secretary.

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

## INTRODUCTIONS AND FIRST READING

HB 2183 by Representatives Orr, Dellwo, Moyer, Jacobsen and Silver

AN ACT Relating to the scenic river system; amending RCW 79.72.080; and making an appropriation.

Referred to Committees on Natural Resources & Parks and Appropriations.

SSB 5092 by Senate Committee on Ways & Means (originally sponsored by Senators Roach, Snyder, Stratton, Amondson, L. Kreidler, McCaslin, Erwin, Newhouse, Niemi, Sellar, Craswell, Gaspard, Hayner, Skratek, L. Smith, Talmadge, Oke, Bauer, Rasmussen, Thorsness, Johnson, Wojahn, Cantu and West)

Continuing retirement system membership while on active duty in operation Desert Shield.

Referred to Committee on Appropriations.

ESB 5140 by Senators McCaslin, Patterson and L. Smith

Authorizing the use of physical force against intruders.

Referred to Committee on Judiciary.

SSB 5322 by Senate Committee on Commerce & Labor (originally sponsored by Senators Conner, Rasmussen, Snyder, Pelz and McCaslin)

Permitting emergency exemptions from building codes.

Referred to Committee on Housing.

SSB 5332 by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Wojahn, West, Niemi, L. Smith, Madsen, Rasmussen, Snyder, Gaspard, Moore and Bauer)

Providing residential care for disabled persons.

Referred to Committee on Capital Facilities & Financing.

SB 5444 by Senators Moore and A. Smith

Extending the time for a bank customer to discover and report unauthorized signatures and alterations.

Referred to Committee on Financial Institutions & Insurance.

ESSB 5481 by Senate Committee on Agriculture & Water Resources (originally sponsored by Senators Sellar and McMullen)

Modifying open space classification provisions.

Referred to Committees on Natural Resources & Parks and Revenue.

SSB 5520 by Senate Committee on Commerce & Labor (originally sponsored by Senators Newhouse, Jesernig, Murray, Matson, Skratek, Vognild, Bluechel, McCaslin, West, Hayner, Stratton, Patterson, Gaspard, Rinehart, Bauer and Saling)

Creating permits for wine shipments to and from individuals.

Referred to Committee on Commerce & Labor.

SB 5731 by Senators West, Stratton, Saling, Barr, McCaslin, Hayner, Madsen, McMullen, Gaspard, Patterson, Nelson, Moore, von Reichbauer, Talmadge, Hansen, Newhouse, Sellar, Rinehart, Bluechel and Johnson

Allowing public facilities districts to impose excise tax.

Referred to Committees on Trade & Economic Development and Revenue.

SSB 5759 by Senate Committee on Commerce & Labor (originally sponsored by Senator Rasmussen)

Revising provisions regulating funeral directors, embalmers, and crematories.

Referred to Committee on Commerce & Labor.

#### MOTION

On motion of Mr. Ebersole, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

Representative Phillips appeared at the bar of the House.

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

## SECOND READING

## MOTION

Mr. Ebersole moved that the House begin consideration of House Bills on the suspension calendar. The motion was carried.

HOUSE BILL NO. 1049, by Representatives Cole, Fuhrman, Heavey, Holland, Vance and Winsley; by request of Liquor Control Board

Authorizing the disposal of seized liquor by the agency seizing the liquor.

The bill was read the second time.

Mr. Heavey moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 1049.

Representatives Cole and Fuhrman spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1049, and the bill passed the House by the following vote:

Yeas - 94, Nays - 0, Absent - 3, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Brekke, Sommers, H., Sprenkle - 03.

Excused: Representative Locke - 01.

House Bill No. 1049, having received the constitutional majority, was declared passed.

## MOTION

On motion of Mr. Bray, Representative Brekke was excused.

HOUSE BILL NO. 1050, by Representatives Morris, Cooper, Wynne, Peery, Ogden, Wang, Nealey and H. Myers

Modifying the type of emergency medical service districts that may impose excess levies.

The bill was read the second time.

Mr. Cooper moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 1050.

Representatives Morris and McLean spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1050, and the bill passed the House by the following vote: Yeas - 94, Nays - 0, Absent - 2, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Sommers, H., Sprenkle - 02.

Excused: Representatives Brekke, Locke - 02.

Substitute House Bill No. 1050, having received the constitutional majority, was declared passed.

Representative H. Sommers appeared at the bar of the House.

HOUSE BILL NO. 1059, by Representatives Appelwick, Padden, Ludwig and Orr

Revising the list of personal property exempt from enforcement of judgments.

The bill was read the second time.

Mr. Ludwig moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 1059.

Representatives Ludwig and Padden spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1059, and the bill passed the House by the following vote: Yeas - 93, Nays - 2, Absent - 1, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Dellwo, McLean - 02.

Absent: Representative Sprengle - 01.

Excused: Representatives Brekke, Locke - 02.

Substitute House Bill No. 1059, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1091, by Representative Appelwick

Establishing the uniform foreign-money claims act.

The bill was read the second time.

Mr. Ludwig moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 1091.

Mr. Ludwig spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1091, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 1, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell,

Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Sprengle - 01.

Excused: Representatives Brekke, Locke - 02.

House Bill No. 1091, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1095, by Representatives Appelwick, Dellwo and Paris

Adding a new Article regarding funds transfers to the Uniform Commercial Code.

The bill was read the second time.

Mr. Dellwo moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 1095.

Mr. Dellwo spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1095, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 1, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Sprengle - 01.

Excused: Representatives Brekke, Locke - 02.

House Bill No. 1095, having received the constitutional majority, was declared passed.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

Representatives Brekke, Locke and Sprenkle appeared at the bar of the House.

HOUSE BILL NO. 1126, by Representatives Braddock and Orr; by request of Dept. of Social and Health Services

Revising provisions for nursing facilities.

The bill was read the second time.

Mr. Braddock moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 1126.

Representatives Braddock and Moyer spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1126, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1126, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1139, by Representatives Peery, H. Myers, Brough, Morris, Winsley, Pruitt, Cooper, Jones, Rayburn, Basich, Betrozoff, Miller and G. Fisher

Authorizing continuing education credit for teachers for certain out-of-state courses.

The bill was read the second time.

Mr. G. Fisher moved that the committee recommendation be adopted (For committee amendments, see Journal, 36th Day, February 18, 1991.) and the engrossed bill be advanced to third reading.

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 1139.

#### 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 - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Loven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 1139, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1153, by Representatives Winsley, Rust, Horn, Valle, Edmondson, Neher, Cole, Anderson, Ferguson, Jacobsen, Rasmussen, R. Johnson, Paris, Scott, Betrozoff, Nealey and Sprenkle

Prescribing monetary penalties for littering.

The bill was read the second time.

Mr. Ludwig moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 1153.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1153, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson,

Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill NO. 1153, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1201, by Representatives Cooper, Wood, Rayburn, Edmondson, Franklin, Haugen, Nealey, Zellinsky, Wynne, Bray, Mitchell, Roland and Ferguson

Removing references to county classes.

The bill was read the second time.

Mr. Cooper moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 1201.

Representatives Cooper and Ferguson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1201, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1201, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1203, by Representatives R. King and Fuhrman; by request of Department of Licensing

Revising provisions for registration of landscape architects.

The bill was read the second time.

Mr. Heavey moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 1203.

Representatives R. King and Vance spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1203, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1203, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1221, by Representatives Peery, Brough, Brumsickle, G. Fisher, Betzoff, Holland, Paris, Broback and Orr

Permitting compensation of school directors' association directors.

The bill was read the second time.

Mr. G. Fisher moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 1221.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1221, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1221, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1224, by Representatives H. Sommers, Brough, G. Fisher and Phillips

Changing provisions relating to school district indebtedness.

The bill was read the second time.

Mr. G. Fisher moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 1224.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1224, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1224, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1339, by Representatives Heavey and O'Brien; by request of Employment Security Department

Revising provisions for unemployment compensation.

The bill was read the second time.

Mr. Heavey moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 1339.

Representatives Heavey and Lisk spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1339, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1339, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Mr. Dorn, House Bill No. 1352 was rereferred to Committee on Rules.

HOUSE BILL NO. 1355, by Representatives R. King, Jones, Cole and Wang; by request of Department of Labor & Industries

Increasing civil penalties for industrial safety and health violations.

The bill was read the second time.

Ms. Cole moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 1355.

Representatives R. King and Lisk spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1355, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Berozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1355, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1447, by Representatives Cole, Fuhrman and Heavey; by request of Department of Licensing

Changing the regulatory charge paid by cemetery authorities.

The bill was read the second time.

Ms. Cole moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 1447.

Representatives Cole and Fuhrman spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1447, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1447, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1458, by Representatives Ludwig, Heavey, Lisk and Franklin; by request of Department of Licensing

Ending dual registration requirements for limousine charter party carriers.

The bill was read the second time.

Ms. R. Fisher moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 1458.

Mr. Ludwig spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1458, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1458, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1466, by Representatives Ludwig, R. King, Cole, Heavey, Jones and Franklin

Reimbursement for attorneys' fees in certain social security benefit cases.

The bill was read the second time.

Ms. Cole moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 1466.

Representatives Ludwig and Fuhrman spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1466, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1466, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1494, by Representatives Grant, Miller and Locke; by request of Utilities & Transportation Commission

Authorizing the utilities and transportation commission to appoint persons to do emergency adjudications.

The bill was read the second time.

Ms. H. Myers moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 1494.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1494, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1494, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1496, by Representatives O'Brien, Holland, Morris, Brumsickle, Leonard and Vance

Changing the disposition of professional license fees.

The bill was read the second time.

Mr. Wang moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 1496.

Mr. Wang spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1496, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers,

H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1496, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1525, by Representatives Schmidt, Peery, Wood, Brumsickle, Zellinsky, Wilson, Anderson and Neher

Authorizing procedures to enable school district employees to obtain government travel and subsistence rates.

The bill was read the second time.

Mr. G. Fisher moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 1525.

Ms. Schmidt spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1525, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yeas: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill NO. 1525, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1527, by Representatives Braddock, Moyer, Sprenkle, Edmondson, R. Meyers, Franklin and Zellinsky

Allowing mandatory continuing medical education credit in the area of professional liability risk management.

The bill was read the second time.

Mr. Braddock moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 1527.

Representatives Braddock and Moyer spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1527, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1527, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Mr. Ebersole, the House recessed until 1:15 p.m.

#### AFTERNOON SESSION

The Speaker (Mr. R. Meyers presiding) called the House to order at 1:15 p.m. The Clerk called the roll and all members were present except Representatives Grant, Morris, Padden, Peery and Sprenkle. On motion of Mr. Vance, Representative Padden was excused.

#### SECOND READING

HOUSE BILL NO. 1553, by Representatives Haugen, Ferguson, H. Sommers, Sprenkle, Morris, Zellinsky, Holland, Wood and Kremen

Allowing counties to meet solid waste disposal standards.

The bill was read the second time.

Ms. Haugen moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of House Bill No. 1553.

Ms. Haugen spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1553, and the bill passed the House by the following vote: Yeas - 93, Nays - 0, Absent - 4, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Grant, Morris, Peery, Sprengle - 04.

Excused: Representative Padden - 01.

House Bill No. 1553, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1558, by Representatives R. Meyers, R. Fisher, Schmidt, Orr, Hargrove, G. Fisher, Cooper, Zellinsky, Holland, Winsley, Betrozoff and Ludwig; by request of Legislative Transportation Committee

Improving the state patrol compensation survey.

The bill was read the second time.

Ms. R. Fisher moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of House Bill No. 1558.

Representatives R. Fisher and Betrozoff spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1558, and the bill passed the House by the following vote: Yeas - 93, Nays - 0, Absent - 4, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Grant, Morris, Peery, Sprengle - 04.

Excused: Representative Padden - 01.

House Bill No. 1558, having received the constitutional majority, was declared passed.

## MOTION

On motion of Mr. Dorn, House Bill No. 1564 was rereferred to Committee on Rules.

Representatives Grant, Morris and Padden appeared at the bar of the House.

## MOTION

On motion of Mr. Vance, Representative McLean was excused.

HOUSE BILL NO. 1568, by Representatives Haugen, Wilson, R. Johnson and R. Fisher

Permitting public transportation benefit areas greater flexibility in areas served.

The bill was read the second time.

Ms. R. Fisher moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 1568.

Ms. R. Fisher spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1568, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 2, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Loven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Peery, Sprengle - 02.

Excused: Representative McLean - 01.

Substitute House Bill No. 1568, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1573, by Representatives Winsley, Dellwo, Inslee, R. Meyers, Dorn, R. Johnson and Anderson

Establishing the measure of damages for a motor vehicle.

The bill was read the second time.

Mr. Ludwig moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 1573.

Ms. Winsley spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1573, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 2, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley,

Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Peery, Sprenkle - 02.

Excused: Representative McLean - 01.

Substitute House Bill No. 1573, having received the constitutional majority, was declared passed.

Representative McLean appeared at the bar of the House.

HOUSE BILL NO. 1581, by Representatives Grant, Miller and Rasmussen; by request of Utilities & Transportation Commission

Placing the burden of proof on utilities to show that certain operations are not subject to regulation.

The bill was read the second time.

Ms. H. Myers moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of House Bill No. 1581.

Ms. H. Myers spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1581, and the bill passed the House by the following vote: Yeas - 95, Nays - 1, Absent - 2, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogen, Orr, Padden, Paris, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representative Mitchell - 01.

Absent: Representatives Peery, Sprenkle - 02.

House Bill No. 1581, having received the constitutional majority, was declared passed.

## STATEMENT FOR THE JOURNAL

I intended to vote "yea" on the final passage of House Bill No. 1581.

MARYANN MITCHELL, 30th District.

Representative Peery appeared at the bar of the House.

HOUSE BILL NO. 1586, by Representatives D. Sommers, Prentice, Moyer, Paris, Braddock and Franklin

Providing criteria for exempting continuing care retirement communities.

The bill was read the second time.

Mr. Braddock moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 1586.

Mr. Braddock spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1586, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Berozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Sprengle - 01.

Substitute House Bill No. 1586, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1616, by Representatives Ludwig, Riley, Paris, Heavey, Prince, R. Johnson, Mielke, Orr, Bray, Ferguson, Vance, Winsley, Van Luven, Haugen, Kremen, Scott, Rayburn, Miller, Roland, Chandler, Moyer and Sheldon

Providing for seizure of property involved in a felony.

The bill was read the second time.

Mr. Ludwig moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 1616.

Mr. Ludwig spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1616, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Loven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Sprenkle - 01.

Substitute House Bill No. 1616, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1628, by Representatives Heavey, Ferguson, Lisk, McLean, Cooper, Brough, Jones and R. King

Concerning pasteurization in relation to licenses for the sale of beer.

The bill was read the second time.

Ms. Cole moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 1628.

Representatives Cole and Fuhrman spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1628, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Sprengle - 01.

Substitute House Bill No. 1628, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1634, by Representatives Winsley, Appelwick, Forner, Padden, Vance, Miller, D. Sommers, Tate, Wood, Wynne, Horn, Bowman, Neher, Holland, Moyer, Casada, Mitchell, Paris, Chandler, Ferguson, Betrozoff, Lisk, Cole, Scott, R. Johnson, Kremen, Riley, Ballard and Anderson

Adjusting fines for improper parking in a disabled space.

The bill was read the second time.

Mr. Ludwig moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 1634.

Ms. Winsley spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1634, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson,

O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Sprenkle - 01.

Substitute House Bill No. 1634, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1704, by Representatives Cooper, Betrozoff and R. Johnson; by request of Department of Licensing

Changing provisions relating to motor vehicles.

The bill was read the second time.

Ms. R. Fisher moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 1704.

Ms. R. Fisher spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1704, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Sprenkle - 01.

Substitute House Bill No. 1704, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1706, by Representatives Anderson, Sheldon, McLean and Broback; by request of Military Department

Making technical corrections to provisions for the state militia.

The bill was read the second time.

Mr. Anderson moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of House Bill No. 1706.

Mr. Anderson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1706, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Sprengle - 01.

House Bill No. 1706, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1707, by Representatives Anderson, Sheldon, McLean, R. King, Jacobsen, Broback and Wineberry; by request of Military Department

Changing the Washington state guard to the Washington state defense force.

The bill was read the second time.

Mr. Anderson moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of House Bill No. 1707.

Mr. Anderson spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1707, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Sprenkle - 01.

House Bill No. 1707, having received the constitutional majority, was declared passed.

Representative Sprenkle appeared at the bar of the House.

The Speaker assumed the Chair.

## MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1434 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1434, by Representatives Hine, Miller, Anderson, McLean, R. King, R. Meyers, Scott, R. Fisher, Cooper, Appelwick, Rasmussen, Dorn, Valle, R. Johnson, Prentice, Cantwell, Cole, Jones, Pruitt, Fraser, Winsley, Sheldon, H. Myers, Riley, Orr, Roland, O'Brien, Ogden, Braddock, Phillips, Nelson, G. Fisher, Wineberry, Haugen, Spanel, Leonard, Sprenkle and Dellwo

Providing limitations on campaign contributions, voluntary limitations on campaign spending, and partial public financing of campaigns.

The bill was read the second time. On motion of Mr. Anderson, Substitute House Bill No. 1434 was substituted for House Bill No. 1434, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1434 was read the second time.

Ms. Morris moved adoption of the following amendment by Representatives Morris, R. Meyers, Orr, Cooper, R. King, H. Myers, Zellinsky, Jones, Nealey, Morton, Fuhrman and Rayburn:

On page 11, after line 11, insert:

"(6) The motor vehicle mileage costs and vehicle fuel costs incurred by a candidate for the candidate's own campaign activities shall not be considered to be an expenditure by the candidate of personal or other funds for the purposes of this chapter."

Representatives Morris, Bowman and Anderson spoke in favor of adoption of the amendment, and it was adopted.

The Clerk read the following amendment by Representatives Anderson and McLean:

On page 11, line 24, after "legislature," strike "three" and insert "five"

With consent of the House, Mr. Anderson withdrew the amendment.

Mr. Anderson moved adoption of the following amendment by Representatives Anderson and McLean:

On page 27, line 25, after "legislature" insert "or during the fifteen days before or the fifteen days after a regular session"

Representatives Anderson and McLean spoke in favor of adoption of the amendment, and it was adopted.

Mr. Anderson moved adoption of the following amendment by Representatives Anderson and McLean:

On page 38, after line 26, insert:

"NEW SECTION. Sec. 34. A new section is added to chapter 44.04 RCW to read as follows:

COMMUNICATION EXPENSES LIMITED. The house of representatives and the senate shall by rule specifically limit the total amount of the legislative expenditures which may be made for any one member of the house or senate for mailings or other types of mass communications made by or for the member. The amount limited under this section shall include the total of all costs to the state attributable to the communications including, but not limited to, the production, printing, and postage costs."

Renumber the remaining sections consecutively and correct internal references accordingly.

Representatives Anderson and McLean spoke in favor of adoption of the amendment, and it was adopted.

Ms. Hine moved adoption of the following amendment by Representatives Hine and Miller:

On page 38, after line 26, insert:

"NEW SECTION. Sec. 34. A new section is added to chapter 42.17 RCW to read as follows:

GIFTS OVER FIFTY DOLLARS TO BE REPORTED. (1) A member of the state legislature shall report to the commission the member's receipt of a gift having a value of more than fifty dollars. The member shall report the receipt of the gift to the commission not later than the end of the calendar month following the month of its receipt. The report shall identify the nature and approximate value of the gift, the name and address of the donor of the gift, and the date of its receipt. The commission shall adopt by rule a form which may be used in filing the report required under this section.

(2) This section applies to any gift received by a legislator except for the following: (a) A gift given under circumstances where it is clear beyond any doubt that the gift was not made as part of any design to gain or maintain influence in the legislature, with the legislator, or with respect to any legislative matter or matters; or (b) a contribution received by a legislator which is promptly deposited in the legislator's campaign depository or public office fund."

Renumber the remaining sections consecutively and correct internal references accordingly.

Representatives Hine and Miller spoke in favor of adoption of the amendment, and it was adopted.

Ms. Bowman moved adoption of the following amendment:

On page 42, after line 15, insert:

NEW SECTION. Sec. 46. Notwithstanding any other section of this act, no political committee other than a bona fide political party or caucus of the state legislature may make a contributions reportable under this chapter to any candidate.

Representatives Bowman, Ballard and Brough spoke in favor of adoption of the amendment, and Representatives Anderson, Ebersole and R. King spoke against it.

Mr. Tate demanded an electric roll call vote, and the demand was sustained.

Ms. Hine spoke against adoption of the amendment.

#### ROLL CALL

The Clerk called the roll on adoption of the amendment on page 42, after line 15, by Representative Bowman to Substitute House Bill No. 1434, and the amendment was not adopted by the following vote: Yeas - 41, Nays - 57, Absent - 0, Excused - 0.

Voting yea: Representatives Ballard, Beck, Betzoff, Bowman, Broback, Brough, Brumsickle, Casada, Chandler, Edmondson, Ferguson, Forner, Fuhrman, Hochstatter, Holland, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Paris, Prince, Rayburn, Schmidt, Silver, Sommers, D., Tate, Vance, Van Luven, Wilson, Winsley, Wood, Wynne - 41.

Voting nay: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Peery, Phillips, Prentice, Pruitt, Rasmussen, Riley, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Sprengle, Valle, Wang, Wineberry, Zellinsky, and Mr. Speaker - 57.

Ms. Bowman moved adoption of the following amendment:

On page 1, strike everything after the enacting clause and insert:

"PART I

FINDINGS AND INTENT

NEW SECTION. Sec. 1. FINDINGS. The legislature finds and declares that:

(1) Monetary contributions to political campaigns are a legitimate form of participation in the American political process, but the financial strength of certain individuals or organizations should not permit them to exercise a disproportionate or controlling influence on the election of candidates.

(2) Rapidly increasing political campaign costs have led many candidates to raise larger percentages of money from organizational contributors with a specific financial stake in matters before state government. This has caused the public perception that decisions of elected officials are being improperly influenced by monetary contributions. This perception undermines the credibility and integrity of the governmental process.

(3) Candidates are raising less money in small contributions from individuals and more money in organizational contributions. This has created the public perception that the small contributor has an insignificant role to play in the political campaigns.

NEW SECTION. Sec. 2. INTENT. By limiting campaign contributions, the legislature intends to:

(1) Ensure that individuals and interest groups have fair and equal opportunity to participate in elective and governmental processes;

(2) Reduce the influence of large organizational contributors with a specific financial stake in matters before government, thus countering the perception that decisions are influenced more by the size of the contribution than by the best interests of the people; and

(3) Help restore public trust in governmental institutions and the electoral process.

## PART II DEFINITIONS

NEW SECTION. Sec. 3. DEFINITIONS. The definitions under RCW 42.17.020 apply to sections 4 through 20 of this act except as modified by this section. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 4 through 20 of this act.

(1) "Authorized committee" means the political committee authorized by a candidate, or by the state official against whom recall charges have been filed, to accept contributions or make expenditures on behalf of the candidate or state official.

(2) "Bona fide political party" means an organization which has filed a valid certificate of nomination with the secretary of state under chapter 29.24 RCW or the governing body of the state organization of a major political party, as defined in RCW 29.01.090, which is the body authorized by the charter or bylaws of the party to exercise authority on behalf of the state party.

(3) "Candidate" means an individual seeking nomination for election or seeking election to a state office. An individual shall be deemed to be seeking nomination for election or seeking election when the individual first:

(a) Announces publicly or files for the office;

(b) Receives contributions or makes expenditures or reserves space or facilities with intent to promote his or her candidacy for the office; or

(c) Gives his or her consent to another person to take on behalf of the individual any of the actions in (b) of this subsection.

(4) "Caucus of the state legislature" means the caucus of the members of a major political party in the state house of representatives or in the state senate.

(5)(a) "Contribution" includes a loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, transfer of funds between political committees, or transfer of anything of value, including personal and professional services for less than full consideration.

(b) Subject to further definition by the commission, "contribution" shall not include the following:

(i) Interest on moneys deposited in a political committee's account;

(ii) Ordinary home hospitality;

(iii) A contribution received by a candidate or political committee that is returned to the contributor within five business days of the date on which it is received by the candidate or committee;

(iv) An expenditure for voter registration, for absentee ballot information, for precinct caucuses, for get-out-the-vote campaigns, for precinct judges or inspectors, or for ballot counting, all without promotion of or political advertising for individual candidates;

(v) An expenditure for sample ballots listing all or substantially all candidates and ballot issues that will appear on a coming election ballot, listing all candidates and their political party affiliations for each office mentioned, and perhaps also denoting political committee endorsements, but with no other descriptive information about the candidates;

(vi) Any news, feature, commentary, or editorial in a regularly scheduled news medium that is of primary interest to the general public, that is in a news medium controlled by a person whose primary business is that news medium, and that is not controlled by any candidate or political committee;

(vii) An expenditure by a political committee for its own internal organization or fund raising without direct association with individual candidates;

(viii) An internal political communication primarily limited to the contributors to a political party organization or political action committee, or the officers, management staff, and stockholders of a corporation or similar enterprise, or the members of a labor organization or other membership organization; or

(ix) The rendering of personal services of the sort commonly performed by volunteer campaign workers, or incidental expenses personally incurred by volunteer campaign workers not in excess of fifty dollars personally paid for by the worker. "Volunteer services," for the purposes of this section, means services or labor for which the individual is not compensated by any person and that are performed outside the individual's normal working hours.

(c) Contributions other than money or its equivalent shall be deemed to have a monetary value equivalent to the fair market value of the contribution.

(d) Sums paid for tickets to fund-raising events such as dinners and parties are contributions. However, the amount of the contributions may equal the cost of the ticket less the actual cost of the consumables furnished at the event.

(e) An expenditure made by a person in cooperation, consultation, or concert with, or at the request or suggestion of, a candidate, a political committee, or their agents, is considered to be a contribution to such candidate or political committee.

(f) The financing by a person of the dissemination, distribution, or republication, in whole or in part, of broadcast, written, graphic, or other form of political advertising prepared by a candidate, a political committee, or their authorized agent, is considered to be a contribution to the candidate or political committee.

(6) "Corporation" includes any private or public association or proprietorship that is organized for profit or not for profit.

(7) "Election cycle" means the period beginning on the first day of December following the date of the last previous general election for the office which the candidate seeks and ending on November thirtieth following the next election for the office. In the case of a special election to fill a vacancy in an office, "election cycle" means the period beginning on the day the vacancy occurs and ending on November thirtieth following the special election.

(8) "General election" means the election which directly results in the election of a person to a state office. It does not include a primary.

(9) "Immediate family" means a candidate's spouse, and any child, stepchild, grandchild, parent, stepparent, grandparent, brother, half-brother, sister, or half-sister of the candidate and the spouse of any such person and any child, stepchild, grandchild, parent, stepparent, grandparent, brother, half-brother, sister, or half-sister of the candidate's spouse and the spouse of any such person.

(10) "Independent expenditure" means an "expenditure" as defined in RCW 42.17.020 which has each of the following elements:

(a) It is made in support of or in opposition to a candidate for office by a person who is not (i) a candidate for that office, (ii) an authorized committee of a candidate for that office, (iii) a person who has received the candidate's encouragement or approval to make the expenditure, if the expenditure pays in whole or in part for any political advertising supporting that candidate or promoting the defeat of any other candidate or candidates for that office, or (iv) a person with whom the candidate has collaborated for the purpose of making the expenditure, if the expenditure pays in whole or in part for any political advertising supporting that candidate or promoting the defeat of any other candidate or candidates for that office;

(b) The expenditure pays in whole or in part for any political advertising which either specifically names the candidate supported or opposed, or clearly and beyond any doubt identifies such candidate without using the candidate's name; and

(c) The expenditure, alone or in conjunction with another expenditure or other expenditures of the same person in support of or opposition to that candidate, has a value of five hundred dollars or more. A sequence of expenditures each of which is under five hundred dollars shall constitute one independent expenditure as of the time that the last expenditure brings the total value of the sequence to five hundred dollars or more.

(11)(a) "Intermediary" means an individual who transmits a contribution to a candidate or committee from another person unless the contribution is from the individual's employer, immediate family, or an association to which the individual belongs.

(b) A treasurer or a candidate is not an intermediary for purpose of the committee that the treasurer or candidate serves.

(c) A professional fund raiser is not an intermediary if the fund raiser is compensated for fund-raising services at the usual and customary rate.

(d) A volunteer hosting a fund-raising event at the individual's home is not an intermediary for purposes of that event.

(12) "Organization" means a:

(a) Labor organization;

(b) Collective bargaining organization;

(c) Local, state, or national organization to which a labor organization pays membership per capita fees, based upon its affiliation and membership; or

(d) Trade or professional association that receives its funds exclusively from membership dues or service fees, whether organized inside or outside the state.

(13) "Primary" means the procedure for nominating a candidate to state office under chapter 29.18 or 29.21 RCW or any other primary for an election which uses, in large measure, the procedures established in chapter 29.18 or 29.21 RCW.

(14) "Recall campaign" means the period of time beginning on the date of the filing of recall charges pursuant to RCW 29.82.015 and ending thirty days after the recall election.

(15) "State legislative office" means the office of a member of the state house of representatives and the office of a member of the state senate.

(16) "State office" means state legislative office or the office of governor, lieutenant governor, secretary of state, commissioner of public lands, insurance commissioner, superintendent of public instruction, state auditor, or state treasurer.

(17) "State official" means a person who holds a state office.

### PART III CONTRIBUTIONS

NEW SECTION. Sec. 4. CAMPAIGN CONTRIBUTION LIMITS. (1) No person, other than a bona fide political party or a caucus of the state legislature, may make contributions to any candidate during an election cycle which in the aggregate exceed five

hundred dollars. No candidate and no authorized committee of a candidate may accept contributions from any person or entity which exceed the contribution limitation provided by this subsection.

(2) No person, other than a bona fide political party or a caucus of the state legislature, may make contributions to any state official against whom recall charges have been filed, or to any political committee having the expectation of making expenditures in support of the recall of any such state official, during a recall campaign which in the aggregate exceed five hundred dollars. No state official against whom recall charges have been filed, no authorized committee of such an official, and no political committee having the expectation of making expenditures in support of the recall of any state official, may accept contributions from a person which exceed the contribution limitation provided by this subsection.

(3) Notwithstanding subsection (1) of this section, no bona fide political party and no caucus of the state legislature may make contributions to any candidate during an election cycle which in the aggregate exceed fifty cents multiplied times the number of eligible registered voters in the jurisdiction entitled to elect the candidate. No candidate and no authorized committee of a candidate may accept contributions from a bona fide political party or from a caucus of the state legislature which exceed the contribution limitation provided by this subsection.

(4) Notwithstanding subsection (2) of this section, no bona fide political party and no caucus of the state legislature may make contributions to any state official against whom recall charges have been filed, or to any political committee having the expectation of making expenditures in support of the recall of any such state official, during a recall campaign which in the aggregate exceed fifty cents multiplied times the number of eligible registered voters in the jurisdiction entitled to recall such state official. No state official against whom recall charges have been filed, no authorized committee of such an official, and no political committee having the expectation of making expenditures in support of the recall of any state official may accept contributions from a bona fide political party or from a caucus of the state legislature which exceed the contribution limitation provided by this subsection.

(5) Notwithstanding subsections (1) through (4) of this section, no corporation, partnership, labor organization, organization, political committee, or other nonindividual other than a bona fide political party or caucus of the state legislature may make contributions reportable under this chapter to any candidate, to any state official against whom recall charges have been filed, or to any political committee having the expectation of making expenditures in support of the recall of any such official. No entity prohibited by this subsection from making contributions to candidates may make contributions to a caucus of the state legislature that in the aggregate exceed five hundred dollars in a calendar year or to a bona fide political party that in the aggregate exceed one thousand dollars in a calendar year. This subsection does not apply to loans made in the ordinary course of business.

(6) For the purposes of sections 4 through 20 of this act, a contribution to the authorized political committee of a candidate, or of a state official against whom recall charges have been filed, shall be considered to be a contribution to the candidate or state official.

(7) Any contribution received within the twelve-month period following a general election for a state office or for a recall election concerning a state office shall be considered to be a contribution during the election cycle ending with that election or during that recall campaign if the contribution is used to pay any debt or obligation incurred to influence the outcome of that election or the primary conducted for that election or of that recall campaign.

(8)(a) The contributions allowed by subsection (2) of this section are in addition to those allowed by subsection (1) of this section, and the contributions allowed by

subsection (4) of this section are in addition to those allowed by subsection (3) of this section.

(b) The provisions of sections 4 through 20 of this act apply to a special election conducted to fill a vacancy in a state office. However, the contributions made to a candidate or received by a candidate for a primary or special election conducted to fill such a vacancy shall not be counted toward any of the limitations which apply to the candidate or to contributions made to the candidate under this subchapter for any other primary or election.

**NEW SECTION.** Sec. 5. **ATTRIBUTION AND AGGREGATION OF FAMILY CONTRIBUTIONS.** (1) Contributions by a husband and wife are considered separate contributions and not aggregated.

(2) Contributions by unemancipated children under eighteen years of age are considered contributions by their parents and attributed proportionately to each parent. Fifty percent of the contributions are attributed to each parent or, in the case of a single custodial parent, the total amount is attributed to the parent.

**NEW SECTION.** Sec. 6. **ATTRIBUTION OF CONTRIBUTIONS BY CONTROLLED ENTITIES.** (1) For purposes of this chapter, a contribution by a person or entity controlled by any other person or entity is a contribution by the controlling person or entity. A contribution to a person or entity controlled by another person or entity is a contribution to the controlling person or entity. This subsection does not apply to the relationship between an individual and the spouse of the individual or to the relationship between a bona fide political party and a district or county organization of that party or a caucus of the state legislature of the members of that party.

(2) Contributions governed by subsection (1) of this section include but are not limited to:

(a) A contribution by a subsidiary, branch, division, department, or local unit of an association, which is considered to have been made by the association; and

(b) A contribution by a political committee controlled by a person or entity, which is considered to be a contribution by that person or entity.

(3) In determining whether a person or entity is controlled by any other person or entity for the purposes of subsection (1) of this section, the following shall, if applicable, be considered:

(a) Ownership of a controlling interest in voting shares or securities;

(b) Provisions of bylaws, articles of incorporation, charters, constitutions, or other documents by which one person or entity has the authority, power, or ability to direct another;

(c) The authority, power, or ability to hire, appoint, discipline, discharge, demote, remove, or influence the decision of the officers or members of an entity;

(d) Similar patterns of contributions; and

(e) The extent of the transfer of funds between the person or entities.

(4) A candidate committee and a committee other than a candidate committee are treated as a single committee if the committees both have the candidate or a member of the candidate's immediate family as an officer.

**NEW SECTION.** Sec. 7. **ATTRIBUTION OF CONTRIBUTIONS.** All contributions made by a person or entity, either directly or indirectly, to a candidate, to a state official against whom recall charges have been filed, or to a political committee, are considered to be contributions from that person or entity to the candidate, state official, or political committee, as are contributions that are in any way earmarked or otherwise directed through an intermediary or conduit to the candidate, state official, or political committee. For the purposes of this section, "earmarked" means a designation, instruction, or encumbrance, whether direct or indirect, expressed or implied, or oral or written, that is intended to result in or that does result in all or any part of a contribution being made to a certain candidate or state official. If a conduit or intermediary exercises

any direction or control over the choice of the recipient candidate or state official, the contribution is considered to be by both the original contributor and the conduit or intermediary.

**NEW SECTION. Sec. 8. LIMITATIONS ON EMPLOYERS OR LABOR ORGANIZATIONS.** (1) No employer or labor organization may increase the salary of an officer or employee, or give an emolument to an officer, employee, or other person or entity, with the intention that the increase in salary, or the emolument, or a part of it, be contributed or spent to support or oppose any candidate, ballot proposition, political party, or political committee.

(2) No employer or labor organization may discriminate against an officer or employee in the terms or conditions of employment: For (a) the failure to contribute to, (b) the failure in any way to support or oppose, or (c) in any way supporting or opposing a candidate, ballot proposition, political party, or political committee.

(3) No employer or other person or entity responsible for the disbursement of funds in payment of wages or salaries may withhold or divert any portion of an employee's wages or salaries for contributions to political committees except upon the written request of the employee. The request must be made on a form prescribed by the commission informing the employee of the prohibition against employer and labor organization discrimination described in subsection (2) of this section. The request shall be valid for no more than twelve months from the date it is made by the employee.

(4) Each person or entity who withholds contributions under subsection (3) of this section shall maintain open for public inspection for a period of no less than three years, during normal business hours, documents and books of accounts that shall include a copy of each employee's request, the amounts and dates funds were actually withheld, and the amounts and dates funds were transferred to a political committee. Copies of such information shall be delivered to the commission upon request.

**NEW SECTION. Sec. 9. CHANGING MONETARY LIMITS.** At the beginning of each even-numbered calendar year, the commission shall increase or decrease all dollar amounts in this chapter based on changes in economic conditions as reflected in the inflationary index used by the commission under RCW 42.17.370. The new dollar amounts established by the commission under this section shall be rounded off by the commission to amounts as judged most convenient for public understanding and so as to be within ten percent of the target amount equal to the base amount provided in this chapter multiplied by the increase in the inflationary index since the effective date of this act.

**NEW SECTION. Sec. 10. CONTRIBUTIONS FROM BEFORE EFFECTIVE DATE OF ACT.** Contributions made and received before the effective date of this act are not considered to be contributions under the provisions of sections 4 through 20 of this act.

**NEW SECTION. Sec. 11. TIME LIMIT FOR STATE OFFICIALS TO SOLICIT OR ACCEPT CONTRIBUTIONS.** During the period beginning on the fifteenth day before the date a regular legislative session convenes and continuing thirty days past the date of final adjournment, and during the period beginning on the date a special legislative session convenes and continuing through the date that session adjourns, no state official or any person employed by a state official or state legislator may solicit or accept contributions to a public office fund, to any candidate campaign fund, or to retire any campaign debt.

**NEW SECTION. Sec. 12. RESTRICTION ON LOANS.** (1) A loan is considered a contribution from the maker and the guarantor of the loan and is subject to the contribution limitations of this chapter.

(2) A loan to a candidate or the candidate committee must be by written agreement.

(3) The proceeds of a loan made to a candidate:

(a) By a commercial lending institution;

- (b) Made in the regular course of business;
- (c) On the same terms ordinarily available to members of the public; and
- (d) Which is secured or guaranteed;

are not subject to the contribution limits of this chapter.

**NEW SECTION.** Sec. 13. CONTRIBUTIONS ON BEHALF OF ANOTHER. (1) A person, other than individual, may not be an intermediary or an agent for a contribution.

(2) An individual may not make a contribution on behalf of another person or entity, or while acting as the intermediary or agent of another person or entity, without disclosing to the recipient of the contribution both his or her full name, street address, occupation, name of employer, if any, or place of business if self-employed, and the same information for each contributor for whom the individual serves as intermediary or agent.

**NEW SECTION.** Sec. 14. CERTAIN CONTRIBUTIONS REQUIRED TO BE BY WRITTEN INSTRUMENT. (1) An individual may not make a contribution of more than fifty dollars, other than an in-kind contribution, except by written instrument containing the name of the donor and the name of the payee.

(2) A committee may not make a contribution, other than in-kind, except by written instrument containing the name of the donor and the name of the payee.

**NEW SECTION.** Sec. 15. SOLICITATION OF CONTRIBUTIONS BY GOVERNMENT EMPLOYEES. (1) No state official or state official's agent may knowingly solicit, directly or indirectly; a contribution from an employee in the state official's agency.

(2) No state official or state employee may provide an advantage or disadvantage to an employee or applicant for employment in the classified civil service concerning the applicant's or employee's:

- (a) Employment;
- (b) Conditions of employment; or
- (c) Application for employment;

based on the employee or applicant's contribution or promise to contribute, failure to make a contribution or contribute to a political party or committee.

**NEW SECTION.** Sec. 16. AGENCY SHOP FEES AS CONTRIBUTIONS. A labor organization may not use agency shop fees paid by an individual who is not a member of the organization to make contributions or expenditures to influence an election or to operate a political committee, unless affirmatively authorized by the individual.

**NEW SECTION.** Sec. 17. SOLICITATION FOR ENDORSEMENT FEES. A person or entity may not solicit from a candidate, committee, political party, or other person or entity money or other property as a condition or consideration for an endorsement, article, or other communication in the news media promoting or opposing a candidate, committee, or political party.

**NEW SECTION.** Sec. 18. REIMBURSEMENT FOR CONTRIBUTIONS. A person or entity may not, directly or indirectly, reimburse another person or entity for a contribution to a candidate, committee, or political party.

**NEW SECTION.** Sec. 19. PROHIBITION ON USE OF CONTRIBUTIONS FOR A DIFFERENT OFFICE. (1) Except as provided in subsection (2) of this section, a candidate committee may not use or permit the use of contributions solicited for or received by the candidate committee to further the candidacy of the individual for an office other than the office designated on the statement of organization. A contribution solicited for or received on behalf of the candidate is considered solicited or received for the candidacy for which the individual is then a candidate if the contribution is solicited or received before the general elections for which the candidate is a nominee or is unopposed.

(2) With the written approval of the contributor, a candidate committee may use or permit the use of contributions solicited for or received by the candidate committee from

that contributor to further the candidacy of the individual for an office other than the office designated on the statement of organization.

**NEW SECTION. Sec. 20. OUT-OF-STATE CONTRIBUTIONS PROHIBITED.** Notwithstanding section 4 of this act, no person residing outside the state of Washington may contribute to a candidate or political committee required to report under this chapter. No candidate or political committee may accept a contribution that is prohibited by this section.

Sec. 21. RCW 42.17.095 and 1982 c 147 s 8 are each amended to read as follows:

The surplus funds of a candidate, or of a political committee supporting or opposing a candidate, may only be disposed of in any one or more of the following ways:

(1) Return the surplus to a contributor in an amount not to exceed that contributor's original contribution;

(2) Transfer the surplus to the candidate's personal account as reimbursement for lost earnings incurred as a result of that candidate's election campaign. Such lost earnings shall be verifiable as unpaid salary or, when the candidate is not salaried, as an amount not to exceed income received by the candidate for services rendered during an appropriate, corresponding time period. All lost earnings incurred shall be documented and a record thereof shall be maintained by the candidate or the candidate's political committee. The committee shall include a copy of such record when its expenditure for such reimbursement is reported pursuant to RCW 42.17.090;

(3) Transfer the surplus to ~~((one or more candidates or to))~~ a political ~~((committee or))~~ party;

(4) Donate the surplus to a charitable organization registered in accordance with chapter 19.09 RCW;

(5) Transmit the surplus to the state treasurer for deposit in the general fund; or

(6) Hold the surplus in the campaign depository or depositories designated in accordance with RCW 42.17.050 for possible use in a future election campaign ~~((for political activity, for community activity, or for nonreimbursed public office related expenses))~~ for the same office last sought by the candidate and report any such disposition in accordance with RCW 42.17.090: PROVIDED, That if the candidate subsequently announces or publicly files for office, information as appropriate is reported to the commission in accordance with RCW 42.17.040 through 42.17.090. If a subsequent office is not sought the surplus held shall be disposed of in accordance with the requirements of this section.

(7) No candidate or authorized committee may transfer funds to any other candidate or other political committee.

Sec. 22. RCW 42.17.105 and 1989 c 280 s 11 are each amended to read as follows:

(1) Campaign treasurers shall prepare and deliver to the commission a special report regarding any contribution which:

(a) Exceeds five hundred dollars;

(b) Is from a single ~~((person or entity))~~ bona fide political party or caucus of the state legislature;

(c) Is received before a primary or general election; and

(d) Is received: (i) After the period covered by the last report required by RCW 42.17.080 and 42.17.090 to be filed before that primary; or (ii) within twenty-one days preceding that general election.

~~((Any political committee making a contribution which exceeds five hundred dollars shall also prepare and deliver to the commission the special report if the contribution is made before a primary or general election and: (a) After the period covered by the last report required by RCW 42.17.080 and 42.17.090 to be filed before that primary; or (b) within twenty one days preceding that general election.~~

~~((3)))~~ Except as provided in subsection ~~((4))~~ (3) of this section, the special report required by this section shall be delivered in written form, including but not limited to

mailgram, telegram, or nightletter. The special report required by subsection (1) of this section shall be delivered to the commission within forty-eight hours of the time, or on the first working day after, the contribution is received by the candidate or campaign treasurer. ~~((The special report required by subsection (2) of this section and RCW 42.17.175 shall be delivered to the commission, and the candidate or political committee to whom the contribution is made, within twenty-four hours of the time, or on the first working day after, the contribution is made.~~

~~((4))~~ (3) The special report may be transmitted orally by telephone to the commission to satisfy the delivery period required by subsection ~~((3))~~ (2) of this section if the written form of the report is also mailed to the commission and postmarked within the delivery period established in subsection ~~((3))~~ (2) of this section.

~~((5))~~ (4) The special report shall include at least:

- (a) The amount of the contribution;
- (b) The date of receipt;
- (c) The name and address of the donor;
- (d) The name and address of the recipient; and
- (e) Any other information the commission may by rule require.

~~((6))~~ (5) Contributions reported under this section shall also be reported as required by other provisions of this chapter.

~~((7))~~ (6) The commission shall publish daily a summary of the special reports made under this section and RCW 42.17.175.

~~((8))~~ (7) It is a violation of this chapter for ~~((any person to make, or for any candidate or political committee to accept from any one person, contributions reportable under RCW 42.17.090 in the aggregate exceeding fifty thousand dollars for any campaign for state-wide office or exceeding five thousand dollars for any other campaign subject to the provisions of this chapter within twenty-one days of a general election. This subsection does not apply to contributions made by, or accepted from, a major Washington state political party as defined in RCW 29.01.090))~~ a political party to make, or for a candidate for state-wide office to accept from a political party, contributions reportable under RCW 42.17.090 in the aggregate exceeding fifty thousand dollars within the twenty-one days preceding a general election.

(8) It is a violation of this chapter for a political party or caucus of the state legislature to make, or for any candidate for the state legislature to accept from a political party or a caucus of the state legislature, contributions reportable under RCW 42.17.090 in the aggregate exceeding five thousand dollars within twenty-one days of a general election.

Sec. 23. RCW 42.17.125 and 1989 c 280 s 12 are each amended to read as follows: Contributions received and reported in accordance with RCW 42.17.060 through 42.17.090 may only be transferred to the personal account of a candidate, or of a treasurer or other individual or expended for such individual's personal use under the following circumstances:

(1) Reimbursement for or loans to cover lost earnings incurred as a result of campaigning or services performed for the committee. Such lost earnings shall be verifiable as unpaid salary, or when the individual is not salaried, as an amount not to exceed income received by the individual for services rendered during an appropriate, corresponding time period. All lost earnings incurred shall be documented and a record thereof shall be maintained by the individual or the individual's political committee. The committee shall include a copy of such record when its expenditure for such reimbursement is reported pursuant to RCW 42.17.090.

(2) Reimbursement for direct out-of-pocket election campaign and postelection campaign related expenses made by the individual. To receive reimbursement from the political committee, the individual shall provide the committee with written documentation as to the amount, date, and description of each expense, and the committee

shall include a copy of such information when its expenditure for such reimbursement is reported pursuant to RCW 42.17.090.

(3) Repayment of loans made by the individual to political committees, which repayment shall be reported pursuant to RCW 42.17.090. However, contributions may not be used to reimburse a candidate for loans totalling more than three thousand dollars made by the candidate to the candidate's own authorized committee or campaign.

#### PART IV

#### INDEPENDENT EXPENDITURES

Sec. 24. RCW 42.17.510 and 1984 c 216 s 1 are each amended to read as follows:

(1) All written political advertising, whether relating to candidates or ballot propositions, shall include the sponsor's name and address. All radio and television political advertising, whether relating to candidates or ballot propositions, shall include the sponsor's name. The use of an assumed name shall be unlawful. The party with which a candidate files shall be clearly identified in political advertising for partisan office.

(2) In addition to the materials required by subsection (1) of this section, all political advertising undertaken as an independent expenditure by a person or entity other than a party organization shall include the following statement on the communication "NOTICE TO VOTERS (Required by Law): This advertisement is not authorized or approved by any candidate. It is paid for by (name, address, city, state)." If the advertisement is undertaken by a nonindividual, then the following notation shall also be included: "Top Five Contributors", followed by a listing of the names of the five persons or entities making the largest contributions reportable under this chapter during the twelve-month period before the date of the advertisement.

(3) The statements and listing of contributors required by subsections (1) and (2) of this section shall:

(a) Appear on each page or fold of the written communication in at least ten-point type, or in type at least ten percent of the largest size type used in a written communication directed at more than one voter, such as a billboard or poster, whichever is larger;

(b) Not be subject to the half-tone or screening process;

(c) Be in a printed or drawn box set apart from any other printed matter; and

(d) Be clearly spoken on any broadcast advertisement.

(4) Political yard signs are exempt from the requirement of subsections (1) and (2) of this section that the name and address of the sponsor of political advertising be listed on the advertising. In addition, the public disclosure commission shall, by rule, exempt from the identification requirements of subsections (1) and (2) of this section forms of political advertising such as campaign buttons, balloons, pens, pencils, sky-writing, inscriptions, and other forms of advertising where identification is impractical.

((3)) (5) For the purposes of this section, "yard sign" means any outdoor sign with dimensions no greater than eight feet by four feet.

NEW SECTION. Sec. 25. INDEPENDENT EXPENDITURES. A person or entity making an independent expenditure by mailing one thousand or more identical or nearly identical cumulative pieces of political advertising in a single calendar year shall, within one day after the time of the mailing, file an example of the mailed political advertising with the election officer of the county of residence for the candidate supported or opposed by the independent campaign expenditure or, in the case of an expenditure made in support of or in opposition to a ballot proposition, the county of residence for the person making the expenditure.

#### PART V

#### USE OF PUBLIC FUNDS/OFFICE FOR POLITICAL PURPOSES

NEW SECTION. Sec. 26. During the twelve-month period preceding the expiration of a state legislator's term in office, no incumbent to that office may mail to

a constituent at public expense a letter, newsletter, brochure, or other piece of literature that is not in direct response to that constituent's request for a response or for information. However, one mailing mailed within thirty days after the start of a regular legislative session and one mailing mailed within sixty days after the end of a regular legislative session of identical newsletters to constituents are permitted. A violation of this section constitutes use of the facilities of a public office for the purpose of assisting a campaign under RCW 42.17.130.

Sec. 27. RCW 41.04.230 and 1988 c 107 s 19 are each amended to read as follows:

Any official of the state authorized to disburse funds in payment of salaries and wages of public officers or employees is authorized, upon written request of the officer or employee, to deduct from the salaries or wages of the officers or employees, the amount or amounts of subscription payments, premiums, contributions, or continuation thereof, for payment of the following:

(1) Credit union deductions: PROVIDED, That the credit union is organized solely for public employees: AND PROVIDED FURTHER, That twenty-five or more employees of a single state agency or a total of one hundred or more state employees of several agencies have authorized such a deduction for payment to the same credit union.

(2) Parking fee deductions: PROVIDED, That payment is made for parking facilities furnished by the agency or by the department of general administration.

(3) U.S. savings bond deductions: PROVIDED, That a person within the particular agency shall be appointed to act as trustee. The trustee will receive all contributions; purchase and deliver all bond certificates; and keep such records and furnish such bond or security as will render full accountability for all bond contributions.

(4) Board, lodging or uniform deductions when such board, lodging and uniforms are furnished by the state, or deductions for academic tuitions or fees or scholarship contributions payable to the employing institution.

(5) Dues and other fees deductions: PROVIDED, That the deduction is for payment of membership dues to any professional organization formed primarily for public employees or college and university professors: AND PROVIDED, FURTHER, That twenty-five or more employees of a single state agency, or a total of one hundred or more state employees of several agencies have authorized such a deduction for payment to the same professional organization.

(6) Labor or employee organization dues may be deducted in the event that a payroll deduction is not provided under a collective bargaining agreement under the provisions of RCW 41.06.150: PROVIDED, That twenty-five or more officers or employees of a single agency, or a total of one hundred or more officers or employees of several agencies have authorized such a deduction for payment to the same labor or employee organization: PROVIDED, FURTHER, That labor or employee organizations with five hundred or more members in state government may have payroll deduction for employee benefit programs.

~~(7) ((Voluntary deductions for political committees duly registered with the public disclosure commission and/or the federal election commission: PROVIDED, That twenty-five or more officers or employees of a single agency or a total of one hundred or more officers or employees of several agencies have authorized such a deduction for payment to the same political committee.~~

~~(8))~~ Insurance contributions to the authority for payment of premiums under contracts authorized by the state health care authority.

Deductions from salaries and wages of public officers and employees other than those enumerated in this section or by other law, may be authorized by the director of financial management for purposes clearly related to state employment or goals and objectives of the agency and, for plans authorized by the state health care authority.

The authority to make deductions from the salaries and wages of public officers and employees as provided for in this section shall be in addition to such other authority as

may be provided by law: PROVIDED, That the state or any department, division, or separate agency of the state shall not be liable to any insurance carrier or contractor for the failure to make or transmit any such deduction.

#### PART VI

#### POLITICAL EXPENDITURE AND CONTRIBUTION REPORTING

Sec. 28. RCW 42.17.180 and 1990 c 139 s 4 are each amended to read as follows:

(1) Every employer of a lobbyist registered under this chapter during the preceding calendar year and every person or entity that made contributions or independent expenditures reportable under this chapter that in the aggregate exceeded five hundred dollars during the preceding calendar year shall file with the commission on or before ~~((March 31st))~~ the last day of February of each year a statement disclosing for the preceding calendar year the following information:

(a) The name of each state elected official and the name of each candidate for state office who was elected to the office and any member of the immediate family of those persons to whom the ~~((employer))~~ person or entity reporting has paid any compensation in the amount of five hundred dollars or more during the preceding calendar year for personal employment or professional services, including professional services rendered by a corporation, partnership, joint venture, association, union, or other entity in which the person holds any office, directorship, or any general partnership interest, or an ownership interest of ten percent or more, the value of the compensation in accordance with the reporting provisions set out in RCW 42.17.241(2), and the consideration given or performed in exchange for the compensation.

(b) The name of each state elected official, successful candidate for state office, or members of his immediate family to whom the ~~((lobbyist employer))~~ person or entity reporting made expenditures, directly or indirectly, either through a lobbyist or otherwise, the amount of the expenditures and the purpose for the expenditures. For the purposes of this subsection, the term expenditure shall not include any expenditure made by the employer in the ordinary course of business if the expenditure is not made for the purpose of influencing, honoring, or benefiting the elected official, successful candidate, or member of his immediate family, as an elected official or candidate.

(c) The total expenditures made by the ~~((employer))~~ person or entity reporting for lobbying purposes, whether through or on behalf of a registered lobbyist or otherwise.

(d) All contributions made to a ~~((candidate for state office, to a))~~ political committee supporting or opposing a candidate for state office, or to a political committee supporting or opposing a state-wide ballot proposition. Such contributions shall be identified by the name and the address of the recipient and the aggregate amount contributed to each such recipient.

(e) The name and address of each registered lobbyist employed by the ~~((employer))~~ person or entity reporting and the total expenditures made by ~~((the employer))~~ each such person or entity for each such lobbyist for lobbying purposes.

(f) The names, offices sought, and party affiliations of candidates for state office supported or opposed by independent expenditures of the person or entity reporting and the amount of each such expenditure.

(g) The identifying proposition number and a brief description of any state-wide ballot proposition supported or opposed by expenditures not reported under (d) of this subsection and the amount of each such expenditure.

(h) Such other information as the commission prescribes by rule.

(2) (a) Except as provided in (b) of this subsection, an employer of a lobbyist registered under this chapter shall file a special report with the commission if the employer makes a contribution or contributions aggregating more than one hundred dollars in a calendar month to any one of the following: A candidate, elected official, officer or employee of an agency, or political committee. The report shall identify the date and amount of each such contribution and the name of the candidate, elected official,

agency officer or employee, or political committee receiving the contribution or to be benefited by the contribution. The report shall be filed on a form prescribed by the commission and shall be filed within fifteen days after the last day of the calendar month during which the contribution was made.

(b) The provisions of (a) of this subsection do not apply to a contribution which is made through a registered lobbyist and reportable under RCW 42.17.170.

PART VII  
PENALTIES

Sec. 29. RCW 42.17.390 and 1973 c 1 s 39 are each amended to read as follows:

~~((a))~~ (1) One or more of the following civil remedies and sanctions may be imposed by court order in addition to any other remedies provided by law:

~~((a))~~ (1) If the court finds that the violation of any provision of this chapter by any candidate or political committee probably affected the outcome of any election, the result of said election may be held void and a special election held within sixty days of such finding. Any action to void an election shall be commenced within one year of the date of the election in question. It is intended that this remedy be imposed freely in all appropriate cases to protect the right of the electorate to an informed and knowledgeable vote.

~~((b))~~ (2) If any lobbyist or sponsor of any grass roots lobbying campaign violates any of the provisions of this chapter, his registration may be revoked or suspended and he may be enjoined from receiving compensation or making expenditures for lobbying: PROVIDED, HOWEVER, That imposition of such sanction shall not excuse said lobbyist from filing statements and reports required by this chapter.

~~((c))~~ (3) Any person who knowingly violates any of the provisions of this chapter may be subject to a civil penalty of not more than ten thousand dollars for each such violation. However, a person or entity who knowingly violates section 4 of this act may be subject to a civil penalty of ten thousand dollars or three times the amount of the contribution illegally made or accepted, whichever is greater.

~~((d))~~ (4) Any person who fails to file a properly completed statement or report within the time required by this chapter may be subject to a civil penalty of ten dollars per day for each day each such delinquency continues.

~~((e))~~ (5) Any person who fails to report a contribution or expenditure may be subject to a civil penalty equivalent to the amount he failed to report.

~~((f))~~ (6) The court may enjoin any person to prevent the doing of any act herein prohibited, or to compel the performance of any act required herein.

PART VIII  
PUBLIC DISCLOSURE COMMISSION

NEW SECTION. Sec. 30. COMMISSION AUDITS. The commission shall conduct a sufficient number of audits and field investigations so as to provide a statistically valid finding regarding the degree of compliance with the provisions of this chapter by all required filers.

PART IX  
REFERENDUM

NEW SECTION. Sec. 31. REFERENDUM. This act shall be submitted to the people for their adoption and ratification, or rejection, at the next succeeding general election to be held in this state, in accordance with Article II, section 1 of the state Constitution, as amended, and the laws to facilitate the operation thereof.

PART X  
MISCELLANEOUS

NEW SECTION. Sec. 32. APPROPRIATION. The sum of ..... dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1993, from the general fund to the public disclosure commission for the purposes of this act.

NEW SECTION. Sec. 33. CODIFICATION DIRECTIONS. (1) Sections 1 through 20 of this act are each added to chapter 42.17 RCW as a subchapter and codified with the subchapter heading of "CAMPAIGN CONTRIBUTION LIMITATIONS."

(2) Sections 25, 26, and 30 of this act are each added to chapter 42.17 RCW.

NEW SECTION. Sec. 34. REPEALER. RCW 42.17.243 and 1977 ex.s. c 336 s 5 are each repealed.

NEW SECTION. Sec. 35. HEADINGS AND CAPTIONS. Part headings and section captions as used in this act do not constitute any part of the law.

NEW SECTION. Sec. 36. EFFECTIVE DATE. This act shall take effect December 1, 1992.

NEW SECTION. Sec. 37. SEVERABILITY. 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. 38. ELIGIBILITY FOR USE OF LOGO--EXPENDITURE LIMIT AGREEMENT. (1) To be eligible to receive payments under this chapter a candidate shall:

(a) Identify the office sought by the candidate; and

(b) Agree in writing that the candidate and the authorized committee of the candidate:

(i) Will fully comply with the fair campaign practices code adopted by the public disclosure commission as it now exists or is hereafter amended;

(ii) Have not made and will not make expenditures during the election cycle which exceed any expenditure limitation applicable to the candidate under this act for the office sought by the candidate;

(iii) Will furnish campaign records, evidence of contributions, and other appropriate information as may be required by the commission.

(2) The agreement required by subsection (1) of this section must be filed with the commission by the third business day after the candidate has filed for office.

(3) A candidate for state office who enters and abides by an agreement under subsection (1) of this section is entitled to display the following good campaign practices seal in the political advertising and communications of the candidate during the election cycle to which the agreement applies:

.....

NEW SECTION. Sec. 39. EXPENDITURE LIMITS FOR CANDIDATES UNDER AGREEMENT. (1) Except as provided in subsection (4) of this section, the expenditure limit for the election cycle for a candidate for state office who agrees to the limitations established in this chapter is the greater of: (a) The base amount established for the office sought under subsection (2) of this section; or (b) the base amount plus the amount applicable to the candidate under subsection (3) of this section regarding independent expenditures.

(2) The base amount referred to in subsection (1) of this section is:

(a) For the office of governor, two million two hundred thousand dollars;

(b) For state executive office other than the office of governor, eight hundred thousand dollars; and

(c) For the office of a member of the state legislature, fifty-five thousand dollars.

(3) If, during the twelve months preceding the election in which the candidate is seeking office, independent expenditures by any person or persons are made in opposition to the candidate or for any other candidate for the office sought by the candidate, the expenditure limitation applicable to the candidate (not the other candidate) during the election cycle shall be increased by an amount equal to the amount of the independent expenditures under the following circumstances:

(a) The candidate is a candidate for state executive office and the aggregate of such independent expenditures exceeds an amount equal to five percent of the base amount established in subsection (2) of this section for the office sought; or

(b) The candidate is a candidate for state legislative office and the aggregate of such independent expenditures exceeds an amount equal to ten percent of the base amount established in subsection (2) of this section for the office sought.

(4) A candidate for an office is not subject to an expenditure limitation under this chapter, if during the election cycle another candidate for that office:

(a) Enters an expenditure limitation agreement under this act for an election cycle but expends during the election cycle more than the expenditure limit applicable to that other candidate; or

(b)(i) Receives contributions, less any loan repayments, aggregating more than the amount listed in this act for that office; and

(ii) Has not filed with the commission the expenditure limitation agreement under this act within three business days of filing for office.

**NEW SECTION.** Sec. 40. RULES FOR COUNTING EXPENDITURES. For the purposes of this chapter:

(1) The expenditures made by and the contributions received by a candidate and the expenditures made by and the contributions received by the authorized committee of the candidate are considered to be expenditures made by and contributions received by the candidate.

(2) Payments made by a candidate to repay loans made to the candidate shall be reported but shall not be counted when determining the total expenditures made by the candidate and the candidate's authorized committee with regard to any of the expenditure limitations provided by this act.

(3) A contribution received within the twelve-month period following a general election for a state office shall be considered to be a contribution during the election cycle for the state office ending with that election. This subsection only applies to the extent the contribution is used to pay any debt or obligation incurred to influence the outcome of that election or the primary conducted for that election.

**NEW SECTION.** Sec. 41. ADDITIONAL RULES FOR COUNTING EXPENDITURES--ACT APPLIES TO ELECTIONS TO FILL VACANCIES. (1) The expenditure limitations imposed by this act are limitations on a candidate's expenditures for the candidate's own campaign for state office.

(2) The provisions of this act apply to a special election conducted to fill a vacancy in a state office. However, the contributions received by a candidate and the expenditures made by a candidate for a primary or special election conducted to fill such a vacancy shall not be counted toward any of the limitations which apply to the candidate under this act for the election cycle for any other election.

(3) This act does not apply to the recall of a state official. The contributions received by a state official against whom recall charges have been filed under chapter 29.82 RCW and the expenditures made by the official, which contributions and expenditures are made with regard to the recall and during the recall campaign, shall not be counted toward any of the limitations which apply under this chapter to the official as a candidate for the election cycle for any other election.

(4) An expenditure shall be considered to be an expenditure of the candidate if it is made by (a) the candidate or an authorized committee of the candidate; (b) a person who has received, expressly or impliedly, the candidate's encouragement or approval to make the expenditure, if the expenditure pays in whole or in part for any political advertising supporting the candidate or promoting the defeat of any other candidate or candidates for that office; or (c) a person with whom the candidate has collaborated for the purpose of making the expenditure, if the expenditure pays in whole or in part for any

political advertising supporting the candidate or promoting the defeat of any other candidate or candidates for that office.

**NEW SECTION. Sec. 42. LIMITATIONS ON EXPENDITURES FROM PERSONAL OR FAMILY FUNDS.** (1) A candidate who enters an expenditure limitation agreement under this act for an election cycle shall not make, during the election cycle, expenditures from the personal funds of the candidate, or the funds contributed by any member of the immediate family of the candidate, aggregating in excess of the following:

(a) For a candidate for the office of governor, thirty thousand dollars;

(b) For a candidate for state executive office other than the office of governor, ten thousand dollars; and

(c) For a candidate for the office of a member of the state legislature, three thousand dollars.

For the purposes of this subsection, a loan by a candidate or a member of the immediate family of the candidate to the campaign of the candidate shall be considered to be a campaign expenditure by the candidate.

(2) A candidate who enters an expenditure limitation agreement under this act for an election cycle and the authorized committee of the candidate shall not make expenditures during the election cycle which in the aggregate exceed any expenditure limit applicable to the candidate under this act.

**NEW SECTION. Sec. 43. VARIOUS EXPENDITURE AMOUNTS ADJUSTED FOR INFLATION.** The expenditure limitations established in this act shall be increased or decreased by the commission by rule at the beginning of each odd-numbered year based on changes in economic conditions as reflected in the inflationary index used by the public disclosure commission under RCW 42.17.370. The base year to be used for revisions made under this section is 1991.

The commission may also adjust the expenditure limits of this act applicable to a particular legislative office if the commission finds that, as a result of changes in population since the latest decennial census, the population in the legislative district for that office differs significantly from the average population of a legislative district in the state. In such a case, the commission may adjust the base amount applicable to that office to reflect that difference in populations.

**NEW SECTION. Sec. 44.** A new section is added to chapter 29.80 RCW to read as follows:

**CANDIDATES' PAMPHLET NOTICE.** The secretary of state shall secure from the public disclosure commission a list of the names of candidates for state legislative and state executive offices who have agreed to limit their expenditures under this act. The secretary shall add a notice in the candidates' pamphlet following the statement of each person on that list indicating that the candidate has so agreed. The secretary shall also prominently display the good campaign practices seal specified in this act next to the statement of each person on that list. The secretary shall use the most current list available from the commission on the last date on which the secretary will accept statements for publication.

Representatives Bowman, Ballard and Paris spoke in favor of adoption of the amendment, and Representatives Anderson and R. Meyers spoke against it.

Mr. D. Sommers demanded an electric roll call vote, and the demand was sustained.

Mr. Ferguson spoke in favor of the amendment, and Mr. Inslee spoke against it. Mr. Anderson again opposed the amendment.

## ROLL CALL

The Clerk called the roll on adoption of the striking amendment by Representative Bowman to Substitute House Bill No. 1434, and the amendment was not adopted by the following vote: Yeas - 40, Nays - 58, Absent - 0, Excused - 0.

Voting yea: Representatives Ballard, Beck, Betrozoff, Bowman, Broback, Brough, Brumsickle, Casada, Chandler, Edmondson, Ferguson, Forner, Fuhrman, Hochstatter, Holland, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Paris, Prince, Schmidt, Silver, Sommers, D., Tate, Vance, Van Luven, Wilson, Winsley, Wood, Wynne - 40.

Voting nay: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Valle, Wang, Wineberry, Zellinsky, and Mr. Speaker - 58.

With consent of the House, the following amendment by Representatives Anderson and McLean to the title was adopted:

On page 1, line 6 of the title, after "RCW;" insert "adding a new section to chapter 44.04 RCW;"

The bill was ordered engrossed.

## MOTION

Mr. Ebersole moved that the rules be suspended, the second reading considered the third, and Engrossed Substitute House Bill No. 1434 be placed on final passage.

Ms. Miller spoke against the motion, and Mr. Ebersole spoke in favor of it.

Ms. Miller demanded an electric roll call vote, and the demand was sustained.

## ROLL CALL

The Clerk called the roll on the motion by Ms. Miller to suspend the rules, consider second reading as third reading, and place Engrossed Substitute House Bill No. 1434 on final passage, and the motion was not carried by the following vote: Yeas - 58, Nays - 40, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Riley,

Roland, Rust, Scott, Sheldon, Sommers, H., Spanel, Sprengle, Valle, Wang, Wineberry, Zellinsky, and Mr. Speaker - 58.

Voting nay: Representatives Ballard, Beck, Betrozoff, Bowman, Broback, Brough, Brumsickle, Casada, Chandler, Edmondson, Ferguson, Forner, Fuhrman, Hochstatter, Holland, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Paris, Prince, Schmidt, Silver, Sommers, D., Tate, Vance, Van Luven, Wilson, Winsley, Wood, Wynne - 40.

The Speaker passed Engrossed Substitute House Bill No. 1434 to Committee on Rules for third reading.

#### SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE JOINT MEMORIAL NO. 8015.

The Speaker called on Representative R. Meyers to preside.

#### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1519 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1519, by Representatives Sprengle, D. Sommers, Rust, Horn, G. Fisher, Phillips and Pruitt

Concerning the transport of recovered materials.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sprengle spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1519, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers,

H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1519, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1532, by Representatives Dorn, Brumsickle, Ferguson, Pruitt, Neher, Basich, Peery, Grant, R. Meyers, Orr, H. Myers, Leonard, Roland, Morris, G. Fisher, Phillips, Scott, Paris and Winsley

Granting temporary waivers of school day requirements for missed days due to snow.

The bill was read the second time. On motion of Mr. G. Fisher, Substitute House Bill No. 1532 was substituted for House Bill No. 1532, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1532 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Dorn and Brumsickle spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1532, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1532, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1552, by Representatives Padden, Appelwick, D. Sommers and R. Meyers

Allowing for deferral of a judicial determination that a traffic violation was committed.

The bill was read the second time. On motion of Mr. Ludwig, Substitute House Bill No. 1552 was substituted for House Bill No. 1552, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1552 was read the second time.

Mr. Padden moved adoption of the following amendment by Representatives Padden and Appelwick:

On page 1, line 13, after "court." insert "Any such course shall include a minimum of eight hours of classroom instruction."

Mr. Padden spoke in favor of adoption of the amendment, and it was adopted.

Mr. Padden moved adoption of the following amendment by Representatives Padden and Appelwick:

On page 3, after line 10, insert the following:

"(9) No procedure for deferral under this section may be implemented by any court that does not have computer equipment that is connected to the department of licensing and that allows electronic transmission and retrieval of driving record information."

Mr. Padden spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Padden spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1552, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 1552, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1570, by Representatives Jones, Heavey, Riley and R. King

Imposing requirements on businesses that receive public assistance.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1572, by Representatives Spanel, Wilson, R. King, Morris, Haugen, Orr, Cole, Fuhrman, Padden, Kremen and Paris

Requiring additional labeling on salmon sold for human consumption.

The bill was read the second time. Committee on Fisheries & Wildlife recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 44th Day, February 26, 1991.)

Mr. R. King moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

Mr. R. King moved adoption of the following amendment by Representatives R. King and Spanel:

On page 2, line 23, after "or" strike ""imported."" and insert ""imported," and, if caught or grown in Washington, as Washington-caught or Washington-grown."

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Spanel spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1572, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 1572, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1627, by Representatives Fuhrman, Heavey, R. King, Morris, McLean, Prentice, Ballard, R. Meyers, Jones, Pruitt, Van Luven, Kremen, Hochstatter, Nealey, P. Johnson, Wynne, Casada and Dorn

Including the provision of chiropractic services under industrial insurance.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Fuhrman and Cole spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1627, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1627, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 1677 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1702, by Representatives Rasmussen, Prince, Jacobsen and Rayburn

Modifying provisions regarding composition of the beef commission.

The bill was read the second time. On motion of Ms. Rayburn, Substitute House Bill No. 1702 was substituted for House Bill No. 1702, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1702 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rasmussen and Nealey spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1702, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1702, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1748, by Representatives Ludwig, Cantwell, Forner, Moyer, Roland, Kremen, Rasmussen, Betzoff, Ferguson, Wineberry, Miller, Bowman and Sheldon

Preventing termination of the small business export finance assistance center.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Ludwig spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1748, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1748, having received the constitutional majority, was declared passed.

## SIGNED BY THE SPEAKER

The Speaker (Mr. R. Meyers presiding) announced the Speaker had signed:  
HOUSE BILL NO. 1818.

HOUSE BILL NO. 1885, by Representatives Roland, Forner, Peery, Orr, G. Fisher, Cole, Scott, Haugen, Vance, Riley, Pruitt, Jacobsen, Nelson, Ebersole, Winsley and Rasmussen

Creating the teachers recruiting future teachers program.

The bill was read the second time. On motion of G. Fisher, Substitute House Bill No. 1885 was substituted for House Bill No. 1885, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1885 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Roland and Forner spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1885, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell,

Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1885, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2021, by Representatives Fraser, Miller, Valle, McLean, Edmondson, Jacobsen, Nealey, Paris, Chandler and Wynne; by request of Joint Select Committee on Water Resource Policy

Extending the joint select committee on water resource policy.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Fraser and Miller spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2021, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

House Bill No. 2021, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2061, by Representatives Grant, Cooper and H. Myers

Regulating amendments to the Washington state energy code.

The bill was read the second time. Committee on Energy & Utilities recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 52nd Day, March 6, 1991.)

Ms. H. Myers moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Cooper spoke in favor of passage of the bill, and Ms. Miller spoke against it.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2061, and the bill passed the House by the following vote: Yeas - 71, Nays - 27, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Broback, Brumsickle, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Holland, Insee, Jacobsen, Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, Meyers, R., Mitchell, Morris, Moyer, Myers, H., Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Zellinsky, and Mr. Speaker - 71.

Voting nay: Representatives Ballard, Beck, Betrozoff, Bowman, Brough, Casada, Chandler, Edmondson, Forner, Fuhrman, Hochstatter, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Morton, Nealey, Neher, Padden, Prince, Sommers, D., Tate, Vance, Wynne - 27.

Engrossed House Bill No. 2061, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2147, by Representatives Heavey and Wang

Restricting certain lottery activities.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Heavey and Fuhrman spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2147, and the bill passed the House by the following vote: Yeas - 97, Nays - 1, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Sheldon - 01.

House Bill No. 2147, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2163, by Representatives Orr, Rasmussen, Wineberry, Bray, Dorn, R. Meyers, Dellwo, R. King, Ferguson and Anderson

Revoking licenses of persons who assault wildlife agents and other law enforcement officers.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Orr and Hargrove spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2163, and the bill passed the House by the following vote: Yeas - 95, Nays - 3, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Haugen, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Hargrove, Heavey, Nealey - 03.

House Bill No. 2163, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1500, by Representatives Riley, Hargrove, Basich, Wood, Roland, Appelwick, Paris and Scott

Increasing the pay for jail labor performed by prisoners with outstanding fines and costs.

The bill was read the second time.

Mr. Hargrove moved adoption of the following amendment:

On page 2, line 2 strike "fifty" and insert "forty-two"

Representatives Hargrove and Tate spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Riley and Winsley spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1500, and the bill passed the House by the following vote: Yeas - 95, Nays - 3, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Fuhrman, Morton, Padden - 03.

Engrossed House Bill No. 1500, having received the constitutional majority, was declared passed.

The Speaker (Mr. R. Meyers presiding) declared the House to be at ease. The Speaker (Mr. O'Brien presiding) called the House to order.

## MOTION

On motion of Mr. Ebersole, the House recessed until 5:30 p.m.

## EVENING SESSION

The Speaker (Mr. O'Brien presiding) called the House to order at 5:30 p.m. The Clerk called the roll and all members were present except Representatives Brekke, Day, Fuhrman, Locke, McLean, H. Sommers and Winsley. On motion of Mr. Vance, Representatives Fuhrman, McLean and Winsley were excused.

## MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1151 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1151, by Representatives Ferguson, Appelwick, Winsley, Rasmussen, Tate, Fuhrman, Broback, Moyer, Holland, Dorn, Phillips, Pruitt, H. Sommers, Brumsickle, D. Sommers, Ogden, Ballard, Forner, Grant, Roland, Vance, Morris, Spanel, Paris, Haugen, May, Rayburn, Zellinsky, Silver, Betzoff, Nealey, Sprengle and Orr

Changing blood and breath alcohol content standards for intoxication for those persons under the age of twenty-one.

The bill was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Ferguson spoke in favor of passage of the bill.

## MOTION

Mr. Ebersole moved that the House defer further consideration of House Bill No. 1151 and that the bill hold its place on the third reading calendar. The motion was carried.

## MESSAGE FROM THE SENATE

March 12, 1991

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1818,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

Representatives Brekke, Day, Fuhrman, McLean, H. Sommers and Winsley appeared at the bar of the House.

HOUSE BILL NO. 1156, by Representatives Winsley, Rayburn, Rasmussen, R. Johnson, Cole and Wilson

Regulating structural pest control inspectors.

The bill was read the second time. Committee on Agriculture & Rural Development recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 26th Day, February 8, 1991.)

Ms. Rasmussen moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Winsley spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1156, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Locke - 01.

Engrossed House Bill No. 1156, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1198, by Representatives Hine, G. Fisher, Holland, Forner, Prentice, Spanel, Valle, Heavey, R. Johnson and Leonard

Regulating the placement of electrical facilities.

The bill was read the second time. On motion of Mr. Cooper, Substitute House Bill No. 1198 was substituted for House Bill No. 1198, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1198 was read the second time.

Ms. Hine moved adoption of the following amendments by Representatives Hine, Haugen and Ferguson:

On page 2, line 12, after "applicant," strike "by: (1) Posting" and insert "((by posting)) as follows: (1) Except in cases where the legislative authority of a county, city, or town is renewing a grant previously made or where the applicant has applied for a grant of authority for all roads or streets within the county, city, or town."

On page 2, line 14, after "~~place~~)" insert "shall be posted"

On page 2, line 18, after "(2)" strike "by publishing a like notice" and insert "((by publishing)) a like notice shall be published"

Representatives Hine and Ferguson spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1243, by Representatives Fuhrman, G. Fisher, Wood, Brekke, Neher, Cole, Silver, Jones, Holland, Peery, Fraser, Brumsickle, Bowman, Moyer, May, Dorn, Pruitt, Belcher, Valle, Heavey, McLean, Chandler, Ferguson, Hochstatter, Padden, Brough, Paris, Winsley, Morton, Mielke, Rayburn, Vance, Forner, P. Johnson, Wynne, Betrozoff, Hargrove, Van Luven, D. Sommers, Edmondson, Miller, Bray, Basich, Mitchell and Tate

Requiring teaching experience for teacher educators.

The bill was read the second time. On motion of Mr. Peery, Substitute House Bill No. 1243 was substituted for House Bill No. 1243, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1243 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Fuhrman spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1243, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell,

Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Locke - 01.

Substitute House Bill No. 1243, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1265, by Representatives Valle, Heavey and Scott

Restricting subdivision alterations that diminish dedications.

The bill was read the second time. On motion of Mr. Cooper, Substitute House Bill No. 1265 was substituted for House Bill No. 1265, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1265 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Valle and Ferguson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1265, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Locke - 01.

Substitute House Bill No. 1265, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1308, by Representatives Winsley, Franklin, Haugen, Nelson, Ogden, Mitchell and Ferguson

Modifying membership of the state board of registration for professional engineers and land surveyors.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Winsley spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1308, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Locke - 01.

House Bill No. 1308, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1366, by Representatives Zellinsky, Broback, Dellwo, Paris, R. Johnson, Winsley, Sheldon, Anderson, Inslee, R. Meyers, Schmidt, Dorn, Scott, Wynne, Ferguson, Mielke, Wood, Bowman, May, Betzoff, Sprengle, McLean, Lisk, Silver and Wang

Exempting terrorism from an insurer's limitations of liability.

The bill was read the second time.

Mr. Zellinsky moved adoption of the following amendment by Representatives Zellinsky, Dellwo, Schmidt and Broback:

On page 1, line 3, strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 48.23.260 and 1947 c 79 s .23.26 are each amended to read as follows:

(1) The insurer may in any life insurance policy or annuity or pure endowment contract limit its liability to a determinable amount not less than the full reserve of the policy and of dividend additions thereto in event only of death occurring:

(a) As a result of war, or any act of war, declared or undeclared, not including any act of terrorism, or of service in the military, naval or air forces or in civilian forces auxiliary thereto, or from any cause while a member of any such military, naval or air forces of any country at war, declared or undeclared.

(b) As a result of suicide of the insured, whether sane or insane, within two years from date of issue of the policy.

(c) As a result of aviation under conditions specified in the policy.

(2) An insurer may specify conditions pertaining to the items of subsection (1) of this section which in the commissioner's opinion are more favorable to the policyholder.

Sec. 2. RCW 48.24.210 and 1947 c 79 s .24.21 are each amended to read as follows:

(1) The insurer may in any group life insurance contract provide that it is not liable, or is liable only in a reduced amount, for losses resulting:

(a) From war or any act of war, declared or undeclared, not including any act of terrorism, or of service in the military, naval or air forces or in civilian forces auxiliary thereto, or from any cause while a member of any such military, naval or air forces, of any country at war, declared or undeclared.

(b) From aviation under conditions specified in the policy.

(2) The insurer may in any such contract provide that any amount of insurance in excess of one thousand dollars on an individual life may be reduced to one thousand dollars or to any greater amount upon attainment of any age not less than age sixty-five or upon the anniversary of the policy nearest attainment of such age.

NEW SECTION. Sec. 3. A new section is added to chapter 48.21 to read as follows:

No accidental death and dismemberment policy providing coverage pertaining to travel may contain an exclusion against loss or damage resulting from death or bodily injury directly or indirectly arising from any act of terrorism."

Representatives Zellinsky and Broback spoke in favor of adoption of the amendment, and it was adopted.

On motion of Mr. Zellinsky, the following amendment by Representatives Zellinsky, Dellwo, Schmidt and Broback to the title was adopted:

On page 1, line 2 of the title, strike "and amending RCW 48.23.260" and insert "amending RCW 48.23.260 and 48.24.210; and adding a new section to chapter 48.21 RCW."

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Zellinsky and Broback spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1366, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Locke - 01.

Engrossed House Bill No. 1366, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1377, by Representatives Peery, Cole, G. Fisher, Betzoff, Miller and Jacobsen; by request of Board of Health

Revising provisions for the screening program for scoliosis.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Braddock and Moyer spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1377, and the bill passed the House by the following vote: Yeas - 96, Nays - 1, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Brough - 01.

Absent: Representative Locke - 01.

House Bill No. 1377, having received the constitutional majority, was declared passed.

The Speaker resumed the Chair.

#### MOTION

On motion of Ms. Cole, Representative Heavey was excused.

#### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1489 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1489, by Representatives H. Myers, May, Grant, Miller, Ebersole, Ballard, Belcher, Casada, Leonard, Hine, Bray, Appelwick, Hochstatter, R. Meyers, Morris, Cooper, Rayburn, Schmidt, Broback, Neher, Wynne, Betrozoff and Winsley

Adding limited new services to the current common carrier exceptions to the privacy act.

The bill was read the second time.

Mr. Jacobsen moved adoption of the following amendment by Representatives Heavey, Jacobsen and Beck:

On page 2, after line 7, insert:

"NEW SECTION. Sec. 2. There is added to chapter 80.36 RCW a new section to read as follows:

A telecommunications company shall not retain for longer than the ordinary billing cycle for any subscriber identifying information about the names or numbers called by the subscriber or the names or numbers of any persons calling the subscriber. In no case shall a telecommunications company retain this information for more than thirty-one days after the date a call was made."

#### POINT OF ORDER

Mr. R. Meyers: Thank you, Mr. Speaker. I would like a ruling on the scope and object of the amendment.

#### SPEAKER'S RULING

The Speaker: Representative Meyers, the Speaker has examined House Bill No. 1489 and the floor amendment. House Bill No. 1489 is an act amending and relating to the right of privacy. It amends the Washington State Privacy Act to exempt from the act caller identification services approved by the Utilities and Transportation Commission. The amendment does not deal with the scope of our

state's privacy act. Rather, it adds a new section to our telecommunications law in Chapter 80.36 RCW, dealing with regulation of telecommunications companies by the UTC. The Speaker finds that as the amendment deals with the regulatory powers of the UTC, rather than the scope of the state's privacy act, it is beyond the scope and object of the bill. Your point, Representative Meyers, is well taken.

Mr. Jacobsen moved adoption of the following amendment:

On page 2, after line 7, insert:

"NEW SECTION. Sec. 2. A new section is added to chapter 80.36 RCW to read as follows:

A telecommunications company which offers automatic number, caller, or location identification services, other than for enhanced 911, shall annually mail to every customer of the company who has an unlisted or unpublished number a statement advising the customer that his or her telephone number and name may be displayed when a call is placed. The notice shall also advise the customer of the manner, if any, by which the customer may block display of the number. The commission by rule shall establish standards for the form and content of the notice."

Mr. Jacobsen spoke in favor of adoption of the amendment, and Ms. H. Myers spoke against it. The amendment was not adopted.

Mr. Jacobsen moved adoption of the following amendment:

On page 2, after line 7, insert:

"NEW SECTION. Sec. 2. A new section is added to chapter 80.36 RCW to read as follows:

A telecommunications company shall not offer automatic caller, number, or location identification services, other than enhanced 911, to a non-residential customer unless the non-residential customer executes a non-disclosure agreement which prohibits the non-residential customer from using any information or any numbers obtained from the telecommunications company for marketing purposes or for matching with other information without the written consent of the telephone subscriber whose name, number, and other information is disclosed to the non-residential customer."

#### POINT OF ORDER

Mr. R. Meyers: Thank you, Mr. Speaker. I would like a ruling on the scope and object of the amendment.

#### SPEAKER'S RULING

The Speaker: Representative Meyers, the Speaker has examined House Bill No. 1489 and the floor amendment. The issue is very similar to the first issue raised a few minutes ago on scope and object. The bill is a bill pertaining to the right of privacy. It amends the Washington State Privacy Act to exempt from the act all caller identification services approved by the Utilities and Transportation Commission. The amendment, again, does not deal with the privacy act; it deals with an amendment to the telecommunications law, Chapter 80.36 RCW. The Speaker finds that the amendment deals with the regulatory power of the UTC rather than the scope of the state privacy act and finds,

Representative Meyers, that your point is well taken. It is beyond the scope and object of the bill.

#### MOTION

Mr. Ebersole moved that the House defer further consideration of House Bill No. 1489 and that the bill hold its place on the second reading calendar. The motion was carried.

#### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1409 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1409, by Representatives Jacobsen, H. Sommers, Wood, Wineberry, Nelson, May, Ogden, Miller, Sheldon, Basich, Paris, Spanel, Phillips, Rasmussen and Anderson

Eliminating mandatory retirement for employees of public institutions of higher education.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Jacobsen spoke in favor of passage of the bill.

The Speaker called on Representative Wang to preside.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1409, and the bill passed the House by the following vote: Yeas - 94, Nays - 2, Absent - 1, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Basich, Cole - 02.

Absent: Representative Locke - 01.

Excused: Representative Heavey - 01.

House Bill No. 1409, having received the constitutional majority, was declared passed.

#### MOTION

On motion of Ms. Bowman, Representative Lisk was excused.

Representative Locke appeared at the bar of the House.

HOUSE BILL NO. 1520, by Representatives Leonard, Winsley and Riley; by request of Dept. of Social and Health Services

Correcting the name of a residential habilitation center.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Leonard spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1520, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Heavey, Lisk. - 02.

House Bill No. 1520, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Dorn moved that the House defer consideration of House Bill No. 1625 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1629, by Representatives Prentice, Wood, R. Meyers, Franklin, Day, Miller, Ludwig, Morris, Pruitt, Brough, Braddock, Anderson, Betrozoff, Cooper, Fuhrman, R. King, McLean, Cantwell, Leonard, Kremen, Nealey, Phillips, P. Johnson, Wynne and Dorn

Redefining the practice of chiropractic.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 1629 was substituted for House Bill No. 1629, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1629 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Prentice, Day and R. Meyers spoke in favor of passage of the bill, and Representatives Sprenkle and Moyer spoke against it.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1629, and the bill passed the House by the following vote: Yeas - 75, Nays - 21, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Betrozoff, Braddock, Bray, Brekke, Broback, Brough, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Inslee, Jacobsen, Johnson P., Jones, King, R., Kremen, Leonard, Locke, Ludwig, McLean, Meyers, R., Miller, Mitchell, Morris, Morton, Myers, H., Nelson, O'Brien, Ogden, Orr, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Scott, Sheldon, Sommers, D., Sommers, H., Spanel, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, and Mr. Speaker - 75.

Voting nay: Representatives Ballard, Beck, Bowman, Brumsickle, Ferguson, Fisher, G., Horn, Johnson R., May, Mielke, Moyer, Nealey, Neher, Paris, Rust, Schmidt, Silver, Sprenkle, Tate, Vance, Zellinsky - 21.

Excused: Representatives Heavey, Lisk - 2.

Substitute House Bill No. 1629, having received the constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote "yes" on final passage of Substitute House Bill No. 1629.  
DARWIN R. NEALEY, 9th District.

HOUSE BILL NO. 1631, by Representatives Wineberry, McLean, Franklin, Anderson, Ballard, Ebersole, Ferguson, Miller, Hine, Horn, Prince, Prentice, Holland, O'Brien, May, Wang, Fuhrman, Belcher, Bowman, Heavey, Van Luven,

Phillips, Paris, Hargrove, Lisk, Spanel, Moyer, Braddock, Brumsickle, R. Fisher, D. Sommers, Appelwick, Padden, R. Meyers, Peery, Tate, Jones, Betrozoff, Cole, Dorn, Grant, Ludwig, Valle, Rayburn, Sheldon, Riley, H. Myers, Pruitt, Nelson, Kremen, Zellinsky, Dellwo, Sprenkle, Jacobsen, Scott, Rust, Ogden, G. Fisher, Bray, Cantwell, Inslee, Brough, R. King, Winsley, Basich, Leonard, Locke, Orr, Cooper, Brekke, Rasmussen, P. Johnson and Casada

Establishing in statute the commission on African-American affairs.

The bill was read the second time. On motion of Ms. Spanel, Substitute House Bill No. 1631 was substituted for House Bill No. 1631, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1631 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Locke and McLean spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1631, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Heavey, Lisk - 2.

Substitute House Bill No. 1631, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1636, by Representatives Scott, Padden, Wineberry, Beck, Appelwick, Tate, Riley, Belcher, Winsley, Orr, Wynne and Broback

Providing for recovery of public agency expenses incurred in certain emergency responses.

The bill was read the second time. On motion of Mr. Ludwig, Substitute House Bill No. 1636 was substituted for House Bill No. 1636, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1636 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Scott and Padden spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1636, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Heavey, Lisk - 2.

Substitute House Bill No. 1636, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1638, by Representatives Inslee, Winsley, Grant, R. Meyers, Padden, Dellwo, Wang and Orr

Allowing partial summary judgment in civil actions.

The bill was read the second time. On motion of Mr. Ludwig, Substitute House Bill No. 1638 was substituted for House Bill No. 1638, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1638 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Inslee, Padden, Moyer and Appelwick spoke in favor of passage of the bill. Mr. Inslee again spoke in favor of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1638, and the bill passed the House by the following vote: Yeas - 94, Nays - 2, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Edmondson, Paris - 02.

Excused: Representatives Heavey, Lisk - 02.

Substitute House Bill No. 1638, having received the constitutional majority, was declared passed.

## MOTION

Mr. Ebersole moved that the House immediately consider House Bills on the suspension calendar. The motion was carried.

HOUSE BILL NO. 1710, by Representatives Miller, Fraser, Rust, Valle, Roland, Winsley and Dorn; by request of Department of Health

Requiring certification of water systems operators.

The bill was read the second time.

Ms. Rust moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. Wang presiding) stated the question before the House to be final passage of Substitute House Bill No. 1710.

Ms. Miller spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1710, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell,

Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Heavey, Lisk - 02.

Substitute House Bill No. 1710, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1708, by Representatives Cantwell, Forner, Sheldon, Jacobsen, Pruitt and Wineberry; by request of Department of Community Development

Revising provisions for employee cooperative corporations.

The bill was read the second time.

Ms. Cantwell moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. Wang presiding) stated the question before the House to be final passage of House Bill No. 1708.

Ms. Cantwell spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1708, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Heavey, Lisk - 02.

House Bill No. 1708, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1732, by Representatives Appelwick, Winsley, Wineberry, Locke, Ferguson, Scott and Forner

Allowing cities over 400,000 population to assign warrant servers to the police department.

The bill was read the second time.

Mr. Appelwick moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. Wang presiding) stated the question before the House to be final passage of House Bill No. 1732.

Mr. Appelwick spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1732, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Heavey, Lisk - 02.

House Bill No. 1732, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1734, by Representatives Nelson, Mitchell, Leonard, Winsley, Ogden, May, Franklin, Van Luven, Wineberry and Anderson

Providing for the sale and purchase of section 8 assisted housing developments.

The bill was read the second time.

Ms. Franklin moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. Wang presiding) stated the question before the House to be final passage of Substitute House Bill No. 1734.

Ms. Winsley spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1734, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Loven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Heavey, Lisk - 02.

Substitute House Bill No. 1734, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1776, by Representatives Day, Moyer, Zellinsky and Rasmussen; by request of Department of Health

Establishing a license to practice specialized veterinary medicine.

The bill was read the second time.

Ms. Rayburn moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. Wang presiding) stated the question before the House to be final passage of Substitute House Bill No. 1776.

Mr. Nealey spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1776, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson,

Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Heavey, Lisk - 02.

Substitute House Bill No. 1776, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1789, by Representatives Braddock, Paris and Prentice

Concerning the filling of prescriptions written by out-of-state prescribers.

The bill was read the second time.

Mr. Braddock moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. Wang presiding) stated the question before the House to be final passage of Substitute House Bill No. 1789.

Mr. Braddock spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1789, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Heavey, Lisk - 02.

Substitute House Bill No. 1789, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1812, by Representatives Riley, Brumsickle, Sheldon, Rasmussen and Cooper

Adopting the woodland stewardship assistance act.

The bill was read the second time.

Ms. Belcher moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. Wang presiding) stated the question before the House to be final passage of House Bill No. 1812.

Mr. Riley spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1812, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Heavey, Lisk - 02.

House Bill No. 1812, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1853, by Representatives Wang and Holland; by request of Office of Financial Management and Secretary of State

Increasing fees for nonprofit corporation filings.

The bill was read the second time.

Ms. Fraser moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. Wang presiding) stated the question before the House to be final passage of House Bill No. 1853.

Ms. Fraser spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1853, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Loven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Heavey, Lisk - 02.

House Bill No. 1853, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1878, by Representatives Cooper, Betrozoff, R. Meyers, Day, Prince and Haugen

Establishing minimum requirements for dealers' plates.

The bill was read the second time.

Ms. R. Fisher moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. Wang presiding) stated the question before the House to be final passage of House Bill No. 1878.

Mr. Cooper spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1878, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate,

Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Heavey, Lisk - 02.

House Bill No. 1878, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1939, by Representatives Anderson, Miller, H. Sommers, Brough, Fraser and Brekke

Providing that either party to a marriage may take the surname of the other.

The bill was read the second time.

Mr. Appelwick moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. Wang presiding) stated the question before the House to be final passage of House Bill No. 1939.

Mr. Anderson spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1939, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Heavey, Lisk - 02.

House Bill No. 1939, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1957, by Representatives Rayburn, Nealey, McLean, Chandler, Roland, Franklin and Rasmussen; by request of Department of Agriculture

Requiring licensing of food processing plants.

The bill was read the second time.

Mr. Rayburn moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. Wang presiding) stated the question before the House to be final passage of Substitute House Bill No. 1957.

Ms. Rayburn spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1957, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Heavey, Lisk - 02.

Substitute House Bill No. 1957, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1958, by Representatives Rayburn, Nealey, McLean, Chandler, Roland, Franklin and Rasmussen; by request of Department of Agriculture

Changing requirements and penalties for livestock brands.

The bill was read the second time.

Ms. Rayburn moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of Substitute House Bill No. 1958.

Ms. Rayburn spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1958, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Heavey, Lisk - 02.

Substitute House Bill No. 1958, having received the constitutional majority, was declared passed.

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

## MOTIONS

On motion of Mr. Dorn, House Bill No. 1810 was referred from Committee on Rules to Committee on Capital Facilities & Financing.

On motion of Mr. Dorn, Substitute Senate Bill No. 5299 was referred from Committee on Judiciary to Committee on Human Services.

On motion of Mr. Dorn, Senate Bill No. 5441 was referred from Committee on Judiciary to Committee on Commerce & Labor.

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

## MOTION

On motion of Mr. Ebersole, the House adjourned until 9:30 a.m., Wednesday, March 13, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

**FIFTY-NINTH DAY**

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**MORNING SESSION**

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House Chamber, Olympia, Wednesday, March 13, 1991

The House was called to order at 9:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Scott.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Amy Powers and Arcadia Smails. Prayer was offered by The Reverend Ron Gadde, Minister of Gloria Dei Lutheran Church of Olympia.

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

**MESSAGE FROM THE SENATE**

March 12, 1991

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5062,  
 SECOND SUBSTITUTE SENATE BILL NO. 5083,  
                                   SENATE BILL NO. 5103,  
                                   SENATE BILL NO. 5139,  
 SUBSTITUTE SENATE BILL NO. 5185,  
                                   SENATE BILL NO. 5190,  
 SUBSTITUTE SENATE BILL NO. 5199,  
 SUBSTITUTE SENATE BILL NO. 5203,  
 SUBSTITUTE SENATE BILL NO. 5204,  
 SUBSTITUTE SENATE BILL NO. 5237,  
 SUBSTITUTE SENATE BILL NO. 5260,  
 SUBSTITUTE SENATE BILL NO. 5261,  
 SUBSTITUTE SENATE BILL NO. 5266,  
 SUBSTITUTE SENATE BILL NO. 5276,  
 SUBSTITUTE SENATE BILL NO. 5288,  
 SUBSTITUTE SENATE BILL NO. 5301,  
 SUBSTITUTE SENATE BILL NO. 5303,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5411,  
                                   ENGROSSED SENATE BILL NO. 5424,  
                                   SENATE BILL NO. 5562,  
                                   SENATE BILL NO. 5564,  
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5590,



Referred to Committee on Local Government.

SSB 5185 by Senate Committee on Law & Justice (originally sponsored by Senators Newhouse, Niemi, Anderson, McMullen, Thorsness, Madsen and A. Smith; by request of Task Force on City/County Finances)

Clarifying "criminal justice purposes" for local government criminal justice assistance.

Referred to Committee on Local Government.

SB 5190 by Senators Bailey and Rinehart

Permitting compensation of school directors' association directors.

Referred to Committee on Education.

SSB 5199 by Senate Committee on Law & Justice (originally sponsored by Senators West, Roach, Johnson and Madsen)

Making assaults on staff at state hospitals for the mentally ill a class C felony.

Referred to Committee on Judiciary.

SSB 5203 by Senate Committee on Health & Long-Term Care (originally sponsored by Senators West and Niemi; by request of Department of Health)

Changing provisions relating to nursing home administration.

Referred to Committee on Health Care.

SSB 5204 by Senate Committee on Health & Long-Term Care (originally sponsored by Senators West and Niemi; by request of Department of Health)

Changing licensure provisions for licensed practical nurses.

Referred to Committee on Health Care.

SSB 5237 by Senate Committee on Transportation (originally sponsored by Senators Bailey, Johnson, Patterson, Rinehart, Vognild, Anderson, Cantu, McCaslin, Oke, Nelson, Conner and Erwin)

Requiring large, slow vehicles to keep right.

Referred to Committee on Transportation.

SSB 5260 by Senate Committee on Energy & Utilities (originally sponsored by Senators Thorsness, Madsen and Barr; by request of Utilities & Transportation Commission)

Regulating certain nonmunicipal water systems.

Referred to Committee on Energy & Utilities.

SSB 5261 by Senate Committee on Education (originally sponsored by Senators Bailey, Vognild, McMullen, Newhouse, Madsen, Oke, Rinehart and Conner)

Requiring new schools to have automatic fire equipment.

Referred to Committee on Education.

SSB 5266 by Senate Committee on Law & Justice (originally sponsored by Senators Thorsness, McMullen, Owen and A. Smith)

Restructuring penalties for driving while suspended.

Referred to Committee on Judiciary.

SSB 5276 by Senate Committee on Transportation (originally sponsored by Senators Nelson, Moore, Thorsness and Oke)

Requiring notice for impounded vehicle disposition.

Referred to Committee on Transportation.

SSB 5288 by Senate Committee on Transportation (originally sponsored by Senators Rasmussen, Thorsness, Patterson, McMullen, Oke and Skratek)

Renaming the state portion of Interstate 90 the American Veterans Memorial Highway.

Referred to Committee on Transportation.

SSB 5301 by Senate Committee on Governmental Operations (originally sponsored by Senators Snyder and Conner)

Authorizing certain cities and counties bordering the Pacific Ocean to levy a special excise tax to provide funding for public facilities.

Referred to Committees on Local Government/Revenue.

SSB 5303 by Senate Committee on Governmental Operations (originally sponsored by Senator Talmadge)

Changing requirements for state and local initiative and referendum ballot titles.

Referred to Committee on State Government.

ESSB 5411 by Senate Committee on Agriculture & Water Resources (originally sponsored by Senators Bailey, Anderson, Hansen, Barr, McMullen, Conner and Skratek)

Making changes relating to flood damage.

Referred to Committee on Natural Resources & Parks.

ESB 5424 by Senators Erwin, Rasmussen, Nelson, A. Smith, Hayner, L. Kreidler, Newhouse and Thorsness

Prohibiting the soliciting or accepting of campaign contributions during legislative sessions.

Referred to Committee on State Government.

SB 5562 by Senators Erwin, Vognild, Thorsness, Nelson and Johnson

Requiring at least two passengers in private vehicles using reserved lanes.

Referred to Committee on Transportation.

SB 5564 by Senators Erwin, Thorsness, Johnson, von Reichbauer, Snyder, Nelson and A. Smith

Proposing a study to make recommendations concerning van pools.

Referred to Committee on Transportation.

ESSB 5590 by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators von Reichbauer and Pelz; by request of State Investment Board)

Affecting administration of the state investment board.

Referred to Committee on State Government.

ESSB 5624 by Senate Committee on Environment & Natural Resources (originally sponsored by Senators Craswell, Conner and Metcalf)

Protecting food fish resources by the department of fisheries.

Referred to Committee on Fisheries & Wildlife.

SSB 5626 by Senate Committee on Environment & Natural Resources (originally sponsored by Senators McMullen, Amondson and Snyder; by request of Washington Hardwoods Commission)

Revising provisions relating to the hardwood commission.

Referred to Committees on Trade & Economic Development/Revenue.

SSB 5644 by Senate Committee on Law & Justice (originally sponsored by Senators Nelson, Rasmussen, Thorsness, A. Smith and Madsen)

Regulating adult entertainment.

Referred to Committee on Judiciary.

SB 5675 by Senators Metcalf, McMullen, Anderson and Bailey

Requiring a restoration plan for Skagit river salmon.

Referred to Committee on Fisheries & Wildlife.

ESB 5797 by Senators McCaslin, Thorsness, L. Smith, Matson, Amondson, Hayner, Newhouse, Oke, Anderson, Barr, Sellar, Johnson, Cantu and Patterson

Requiring that compensation be paid when private property is diminished in value for a public purpose.

Referred to Committees on Judiciary/Appropriations.

SJM 8006 by Senators Madsen, Bauer, A. Smith and McCaslin

Asking the department of defense to send our thanks to operation desert storm troops from Washington.

Referred to Committee on State Government.

SJM 8008 by Senators Owen, Thorsness, Johnson, Oke, Nelson, Erwin, Rasmussen, Vognild, Stratton, Matson, McCaslin, Conner, Craswell, Saling, Madsen and Bauer

Requesting Congress to propose a Constitutional amendment to prohibit physical desecration of the United States flag.

Referred to Committee on State Government.

SJR 8217 by Senators Wojahn, Nelson, Rasmussen, Bauer, Bailey and McCaslin

Allowing video testimony of children under ten years of age who are sexual abuse victims.

Referred to Committee on Judiciary.

ESCR 8400 by Senators Bailey, Rinehart, Erwin, Murray, Oke and Skratek

Endorsing the VISION: EDUCATION 2001 statement.

Referred to Committee on Education.

### MOTION

On motion of Mr. Dorn, the bills, memorials and resolutions listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

### REPORT OF STANDING COMMITTEE

SJR 8203 Prime Sponsor, Representative McCaslin: Amending the Constitution to provide an additional method for a county to frame a "home rule" charter. Reported by Committee on Local Government

March 12, 1991

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Minority Member; Mitchell, Assistant Ranking Minority Member; Bray; Edmondson; Franklin; Nealey; Nelson; Rayburn; Roland; Wood; Wynne; and Zellinsky.

Excused: Representative Horn.

Passed to Committee on Rules for second reading.

The Speaker (Mr. O'Brien presiding) referred Senate Joint Resolution No. 8203 listed on today's committee reports under the fifth order of business to the committee so designated.

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

## SECOND READING

### ANNOUNCEMENT BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the House would immediately begin consideration of House Bills on the suspension calendar.

HOUSE BILL NO. 1977, by Representatives Belcher, Prentice, Inslee, Rayburn and Rasmussen

Increasing in-state marketing opportunities for small agricultural producers.

The bill was read the second time.

Ms. Rayburn moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 1977.

Representatives Belcher and Nealey spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1977, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Scott - 01.

House Bill No. 1977, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1985, by Representatives Brumsickle, Dorn, Peery, Winsley, Miller and Rasmussen; by request of Superintendent of Public Instruction and Board of Education

Requiring teachers to have professional preparation in child abuse issues.

The bill was read the second time.

Mr. G. Fisher moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 1985.

Mr. Brumsickle spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1985, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Scott - 01.

House Bill No. 1985, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1991, by Representatives R. Fisher, Betrozoff, R. Meyers and McLean; by request of Department of Transportation

Adjusting certain vehicle size and weight restrictions.

The bill was read the second time.

Ms. R. Fisher moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 1991.

Representatives R. Fisher and Betrozoff spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1991, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Scott - 01.

House Bill No. 1991, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1995, by Representatives R. Fisher, Jones, Wood, R. Meyers, Horn, Wilson, Mielke and Miller

Exempting converter gear and tow dollies from licensing.

The bill was read the second time.

Ms. R. Fisher moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 1995.

Representatives R. Fisher and Betrozoff spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1995, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen,

Rayburn, Riley, Roland, Rust, Schmidt, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Scott - 01.

House Bill No. 1995, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2028, by Representatives Appelwick and Paris

Updating the uniform controlled substances act.

The bill was read the second time.

Mr. Appelwick moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2028.

Mr. Appelwick spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2028, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Scott - 01.

Substitute House Bill No. 2028, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2048, by Representatives Moyer, Prentice, Paris, Braddock, Holland, Sprenkle, D. Sommers, Beck, Miller, Nealey, Padden, Winsley, Forner, Silver and Sheldon

Lowering licensing fees for older physicians.

The bill was read the second time.

Mr. Braddock moved that the committee recommendation be adopted and the substitute bill be advanced to third reading.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2048.

Representatives Moyer and Braddock spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2048, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Berozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Scott - 01.

Substitute House Bill No. 2048, having received the constitutional majority, was declared passed.

Representative Scott appeared at the bar of the House.

The Speaker assumed the Chair.

On motion of Mr. Ebersole, the House advanced to the seventh order of business.

### THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1434, by House Committee on State Government (originally sponsored by Representatives Hine, Miller, Anderson, McLean, R. King, R. Meyers, Scott, R. Fisher, Cooper, Appelwick, Rasmussen, Dorn, Valle, R. Johnson, Prentice, Cantwell, Cole, Jones, Pruitt, Fraser, Winsley, Sheldon, H. Myers, Riley, Orr, Roland, O'Brien, Ogden, Braddock, Phillips, Nelson, G. Fisher, Wineberry, Haugen, Spanel, Leonard, Sprenkle and Dellwo)

Providing limitations on campaign contributions, voluntary limitations on campaign spending, and partial public financing of campaigns.

The bill was read the third time and placed on final passage.

Representatives Hine, Miller, Anderson, Brough, Basich, May, R. Fisher, R. Meyers, Nelson, Vance, Franklin and Wynne spoke in favor of passage of the bill, and Representatives Bowman, Ballard, Hargrove, Ferguson and Prince spoke against it.

Ms. Hine again spoke in favor of the bill.

The Speaker called on Representative O'Brien to preside.

The Speaker spoke in favor of passage of the bill.

The Speaker resumed the Chair.

Mr. Zellinsky demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1434, and the bill passed the House by the following vote: Yeas - 80, Nays - 18, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Basich, Beck, Belcher, Braddock, Bray, Brekke, Brough, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Grant, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Myers, H., Neher, Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 80.

Voting nay: Representatives Ballard, Betrozoff, Bowman, Broback, Brumsickle, Ferguson, Fuhrman, Hargrove, Hochstatter, Holland, Horn, Morton, Moyer, Nealey, Padden, Prince, Silver, Sommers, D. - 18.

Engrossed Substitute House Bill No. 1434, having received the constitutional majority, was declared passed.

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

## SECOND READING

## MOTION

Mr. Ebersole moved that the House immediately resume consideration of House Bill No. 1489 on the regular second reading calendar. The motion was carried. (For previous action, see Journal, 58th Day, March 12, 1991, Evening Session.)

HOUSE BILL NO. 1489, by Representatives H. Myers, May, Grant, Miller, Ebersole, Ballard, Belcher, Casada, Leonard, Hine, Bray, Appelwick, Hochstatter, R. Meyers, Morris, Cooper, Rayburn, Schmidt, Broback, Neher, Wynne, Betzoff and Winsley

Adding limited new services to the current common carrier exceptions to the privacy act.

Mr. Inslee moved adoption of the following amendment by Representatives Inslee, Jacobsen, Wineberry, Ogden, Hargrove and Nelson:

On page 2, after line 3, strike everything through "commission." on line 7, and insert "(2) The provisions of this chapter shall not apply to the provision by a common carrier of:

(a) Enhanced 911 emergency service approved by the Washington utilities and transportation commission; or

(b) Automatic number, caller or location identification service, other than enhanced 911 emergency service, approved by the Washington utilities and transportation commission, that:

(i) Permits a caller, at the caller's option and at no charge, to withhold or 'block' the display of the caller's number, name, and location for all out-going calls made on that line or on an individual call basis; and

(ii) Requires the telecommunications company to notify it subscribers on the availability of line blocking and call blocking."

Representatives Inslee, Jacobsen, Ogden, Wineberry, Nelson and Cole spoke in favor of adoption of the amendment, and Representatives May, H. Myers, Paris, R. Meyers and Riley spoke against it. Mr. Inslee again spoke in favor of the amendment.

The Speaker stated the question before the House to be adoption of the amendment on page 2, after line 3, by Representative Inslee and others to House Bill No. 1489.

The Speaker, being in doubt, called upon the House to divide. The result of the division was: Yeas - 32, Nays - 66. The amendment was not adopted.

The Clerk read the following amendment by Representatives Inslee, Wineberry, Jacobsen, Ogden, Haugen and Nelson:

On page 2, after line 3, strike everything through "commission." on line 7, and insert "(2) The provisions of this chapter shall not apply to the provision by a common carrier of:

(a) Enhanced 911 emergency service approved by the Washington utilities and transportation commission; or

(b) Automatic number, caller or location identification service, other than enhanced 911 emergency service, approved by the Washington utilities and transportation commission, that permits a caller, at the caller's option and at no charge, to withhold or 'block' the display of the caller's number, name, and location for all out-going calls made on that line or on an individual call basis."

With consent of the House, Representative Inslee withdrew the amendment.

The Speaker called on Representative O'Brien to preside.

Mr. Jacobsen moved adoption of the following amendment by Representatives Jacobsen, Wineberry, R. Fisher and Peery:

On page 2, after line 3, strike everything through "commission." on line 7, and insert "(2) The provisions of this chapter shall not apply to the provision by a common carrier of:

(a) Enhanced 911 emergency service approved by the Washington utilities and transportation commission; or

(b) Automatic number, caller or location identification service, other than enhanced 911 emergency service, approved by the Washington utilities and transportation commission, if the telecommunications company which offers the automatic number, caller, or location identification services, other than enhanced 911, annually mails to every customer of the company who has an unlisted or unpublished number a statement advising the customer that his or her telephone number, name, and location may be displayed when a call is placed and advises the customer of the manner, if any, by which the customer may block display of the number."

Mr. Jacobsen spoke in favor of adoption of the amendment, and Representatives May and H. Myers spoke against it. The amendment was not adopted.

Mr. Jacobsen moved adoption of the following amendment by Representatives Jacobsen, R. Fisher and Wineberry:

On page 2, after line 3, strike everything through "commission." on line 7, and insert "(2) The provisions of this chapter shall not apply to the provision by a common carrier of:

(a) Enhanced 911 emergency service approved by the Washington utilities and transportation commission; or

(b) Automatic number, caller or location identification service, other than enhanced 911 emergency service, approved by the Washington utilities and transportation commission, if the telecommunications company which offers the automatic number, caller, or location identification services, other than enhanced 911, requires a non-residential customer to execute a non-disclosure agreement which prohibits the non-residential customer from using any information or numbers obtained from the telecommunications company for marketing purposes or for matching with other information without the written consent of the telephone subscriber whose name, number, and other information is disclosed to the non-residential customer."

Representatives Jacobsen, Peery, Jones, Braddock, Heavey and Zellinsky spoke in favor of adoption of the amendment, and Representatives R. Meyers, Riley, May, H. Myers and Basich spoke against it. Mr. Jacobsen again spoke in favor of the amendment.

Mr. Jacobsen demanded an electric roll call vote, and the demand was sustained.

### POINT OF PERSONAL PRIVILEGE

Mr. Zellinsky: I guess in my feelings I made an inference about the Polish people. That happens to be my ancestry, I am told, and there was no inference about the Polish people being anything other than the way this person was thinking about it. I didn't mean to demean the Polish people in any way, and I am sorry about that.

### ROLL CALL

The Clerk called the roll on adoption of the amendment on page 2, after line 3, by Representative Jacobsen and others to House Bill No. 1489, and the amendment was not adopted by the following vote: Yeas - 35, Nays - 63, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Braddock, Bray, Brekke, Cole, Dellwo, Fisher, R., Franklin, Fraser, Hargrove, Heavey, Insee, Jacobsen, Jones, King, R., Kremen, Locke, Ludwig, Morris, Nelson, O'Brien, Ogden, Peery, Phillips, Rasmussen, Roland, Rust, Scott, Spanel, Sprenkle, Valle, Van Luven, Wineberry, Zellinsky - 35.

Voting nay: Representatives Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cooper, Day, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Former, Fuhrman, Grant, Haugen, Hine, Hochstatter, Holland, Horn, Johnson P., Johnson R., Leonard, Lisk, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morton, Moyer, Myers, H., Nealey, Neher, Orr, Padden, Paris, Prentice, Prince, Pruitt, Rayburn, Riley, Schmidt, Sheldon, Silver, Sommers, D., Sommers, H., Tate, Vance, Wang, Wilson, Winsley, Wood, Wynne, and Mr. Speaker - 63.

The Clerk read the following amendment by Representatives Jacobsen, R. Fisher and Wineberry:

On page 2, after line 3, strike everything through "commission." on line 7, and insert "(2) The provisions of this chapter shall not apply to the provision by a common carrier of:

(a) Enhanced 911 emergency service approved by the Washington utilities and transportation commission; or

(b) Automatic number, caller or location identification services, other than enhanced 911 emergency service, approved by the commission, if the telecommunications company which offers the automatic number, caller, or location identification services, other than enhanced 911 emergency service, offers call trace service as a tariffed service separate from any other service, such as automatic number identification or caller identification."

With consent of the House, Representative Jacobsen withdrew the amendment.

The Clerk read the following amendment by Representative Peery:

On page 2, after line 3, strike everything through "commission." on line 7, and insert "(2) The provisions of this chapter shall not apply to the provision by a common carrier of:

(a) Enhanced 911 emergency service approved by the Washington utilities and transportation commission; or

(b) Automatic number, caller or location identification services, other than enhanced 911 emergency service, approved by the commission, if:

(i) The telecommunications company executes an agreement with the commission that it will not provide any equipment, device, or service capable of storing the name, number, or identifying information; and

(ii) The telecommunications company requires any person to whom the service is provided to execute an agreement which prohibits the person from storing in any form or manner any information or any numbers obtained from the telecommunications company."

With consent of the House, Representative Peery withdrew the amendment.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives H. Myers, Ballard, Broback and Horn spoke in favor of passage of the bill, and Representatives Hargrove, Inslee and Jacobsen spoke against it.

Mr. Zellinsky demanded the previous question, and the demand was sustained.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1489, and the bill passed the House by the following vote: Yeas - 74, Nays - 24, Absent - 0, Excused - 0.

Voting yea: Representatives Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Former, Fraser, Fuhrman, Grant, Haugen, Hine, Hochstatter, Holland, Horn, Johnson P., Johnson R., King, R., Leonard, Lisk, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morton, Moyer, Myers, H., Nealey, Neher, O'Brien, Orr, Padden, Paris, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Schmidt, Scott, Sheldon, Silver, Sommers, D., Tate, Vance, Van Luven, Wang, Wilson, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 74.

Voting nay: Representatives Anderson, Bray, Brekke, Cole, Fisher, R., Franklin, Hargrove, Heavey, Inslee, Jacobsen, Jones, Kremen, Locke, Ludwig, Morris, Nelson, Ogden, Peery, Rust, Sommers, H., Spanel, Sprengle, Valle, Wineberry - 24.

House Bill No. 1489, having received the constitutional majority, was declared passed.

## STATEMENT FOR THE JOURNAL

I wish to record that my "yes" vote on final passage of House Bill No. 1489 was cast by me inadvertently. I intended to vote "no" on final passage of House Bill No. 1489.

DENNIS BRADDOCK, 42nd District.

## MOTION

On motion of Mr. Dorn, the House recessed until 1:30 p.m.

## AFTERNOON SESSION

The Speaker (Mr. R. Meyers presiding) called the House to order at 1:30 p.m. The Clerk called the roll and all members were present except Representatives Appelwick, Basich, Ebersole, Holland, R. King, Locke, McLean, Nelson and H. Sommers. On motion of Mr. Orr, Representative Locke was excused. On motion of Mr. Vance, Representatives Holland and McLean were excused.

## SECOND READING

## MOTION

Mr. Dorn moved that the House immediately consider House Bills on the suspension calendar. The motion was carried.

HOUSE BILL NO. 2059, by Representatives H. Myers, Grant, O'Brien, Wineberry, Orr and Anderson

Providing low-income persons with residential weatherization and energy assistance.

The bill was read the second time.

Ms. H. Myers moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of House Bill No. 2059.

Ms. H. Myers spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2059, and the bill passed the House by the following vote: Yeas - 89, Nays - 0, Absent - 6, Excused - 3.

Voting yea: Representatives Anderson, Ballard, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, Kremen, Leonard, Lisk, Ludwig, May, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 89.

Absent: Representatives Appelwick, Basich, Ebersole, King, R., Nelson, Sommers, H. - .06.

Excused: Representatives Holland, Locke, McLean - 03.

House Bill No. 2059, having received the constitutional majority, was declared passed.

Representatives R. King and Nelson appeared at the bar of the House.

HOUSE BILL NO. 2073, by Representatives Padden, Morris, Silver, Winsley, Casada, Bowman, Vance, Broback, Fuhrman, P. Johnson, Morton, Wynne, Moyer, Edmondson, Van Luven and Mitchell

Increasing the penalties for selling controlled substances for profit.

The bill was read the second time.

Mr. Ludwig moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of House Bill No. 2073.

Mr. Padden spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2073, and the bill passed the House by the following vote: Yeas - 91, Nays - 0, Absent - 4, Excused - 3.

Voting yea: Representatives Anderson, Ballard, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn,

Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 91.

Absent: Representatives Appelwick, Basich, Ebersole, Sommers, H. - 04.

Excused: Representatives Holland, Locke, McLean - 03.

House Bill No. 2073, having received the constitutional majority, was declared passed.

HOUSE JOINT MEMORIAL NO. 4004, by Representatives Nealey, Grant, Beck, Valle, May, Ludwig, Betrozoff, Rayburn, Chandler, Prince, McLean, Hochstatter, Rasmussen, Silver, Vance, D. Sommers, Jacobsen, R. King, Bowman, Fuhrman, Paris, Horn, Moyer and Broback

Requesting Congress to increase ethanol content in motor fuel.

The memorial was read the second time.

Ms. H. Myers moved that the committee recommendation be adopted and the memorial be advanced to third reading. The motion was carried.

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of House Joint Memorial No. 4004.

Mr. Nealey spoke in favor of passage of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4004, and the memorial passed the House by the following vote: Yeas - 91, Nays - 0, Absent - 4, Excused - 3.

Voting yea: Representatives Anderson, Ballard, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Edmondson, Ferguson, Fisher, G., Fisher, R., Fomer, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 91.

Absent: Representatives Appelwick, Basich, Ebersole, Sommers, H. - 04.

Excused: Representatives Holland, Locke, McLean - 03.

House Joint Memorial No. 4004, having received the constitutional majority, was declared passed.

Representative Appelwick appeared at the bar of the House.

HOUSE JOINT MEMORIAL NO. 4007, by Representatives Hine, Grant, Holland, G. Fisher, Forner, Braddock, Heavey, Prentice, Leonard, Valle, Kremen, Fuhrman, Morton, Spanel and Anderson

Concerning the study of electric and magnetic fields.

The memorial was read the second time.

Ms. H. Myers moved that the committee recommendation be adopted and the memorial be advanced to third reading. The motion was carried.

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be final passage of House Joint Memorial No. 4007.

Ms. Hine spoke in favor of passage of the memorial.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4007, and the memorial passed the House by the following vote: Yeas - 92, Nays - 0, Absent - 3, Excused - 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Basich, Ebersole, Sommers, H. - 03.

Excused: Representatives Holland, Locke, McLean - 03.

House Joint Memorial No. 4007, having received the constitutional majority, was declared passed.

The Speaker (Mr. R. Meyers presiding) declared the House to be at ease. The Speaker (Mr. R. Meyers presiding) called the House to order.

Representatives Basich, Ebersole, Holland, McLean and H. Sommers appeared at the bar of the House.

## MOTION

Mr. Ebersole moved that the House immediately consider the following bills on the regular second reading calendar in the following order: House Bill No. 1462, House Bill No. 1571, House Bill No. 1347, House Bill No. 1677 and House Bill No. 1131. The motion was carried.

HOUSE BILL NO. 1462, by Representatives Nealey, Haugen, Ferguson, Dorn, May, Tate, Ludwig, Neher, Anderson, Rasmussen, Silver, Mielke, Grant, Rayburn, Fuhrman, Bray and Morton

Regulating dangerous and potentially dangerous dogs.

The bill was read the second time. On motion of Mr. Ludwig, Substitute House Bill No. 1462 was substituted for House Bill No. 1462, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1462 was read the second time.

Ms. Schmidt moved adoption of the following amendments by Representatives Schmidt, Zellinsky and Nealey:

On page 3, at line 6, strike all of sections 2 and 3 ending at page 4, on line 16.

On page 4, line 20, after "officer" strike "~~may seize and impound the dog pending the hearings to be held pursuant to sections 2 and 3 of this act~~" and insert "shall seize and impound the dog pending a hearing"

Representatives Schmidt and Nealey spoke in favor of adoption of the amendments, and they were adopted.

Mr. Nealey moved adoption of the following amendment by Representatives Nealey, Ludwig, Dorn, Rasmussen, Haugen, R. Meyers, D. Sommers, Silver, Zellinsky, Ferguson, Neher, Bray, Mielke, Tate and Schmidt:

On page 5, line 5, after "jurisdiction." insert: "No local ordinance may declare a breed of dog to be dangerous or potentially dangerous."

Representatives Nealey, Dorn and Vance spoke in favor of adoption of the amendment, and Representatives Inslee and Edmondson spoke against it.

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be adoption of the amendment on page 5, line 5, by Representative Nealey and other to Substitute House Bill No. 1462.

A division was called. The Speaker (Mr. R. Meyers presiding) called upon the House to divide. The result of the division was: Yeas - 61, Nays - 36. The amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Nealey spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1462, and the bill passed the House by the following vote: Yeas - 84, Nays - 13, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brumsickle, Cantwell, Casada, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Horn, Jacobsen, Johnson P., Jones, King, R., Kremen, Leonard, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, O'Brien, Ogden, Orr, Padden, Paris, Peery, Prentice, Prince, Pruitt, Rasmussen, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Belcher, Brough, Chandler, Cole, Cooper, Edmondson, Heavey, Inslee, Johnson R., Lisk, Nelson, Phillips, Rayburn - 13.

Excused: Representative Locke - 01.

Engrossed Substitute House Bill No. 1462, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1571, by Representatives Jones, McLean, Anderson, Hargrove, Ferguson, Phillips and Jacobsen

Requiring a recount by hand of election returns that have a difference of less than one-fourth of one percent.

The bill was read the second time. On motion of Mr. Anderson, Substitute House Bill No. 1571 was substituted for House Bill No. 1571, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1571 was read the second time.

Ms. Bowman moved adoption of the following amendment:

On page 1 of the amendment, after line 13, insert the following:

**"NEW SECTION.** Sec. 5. The election audit staff may, in addition to the audits required by section 4 of this act, be required to perform duties such as periodically auditing county election procedures after special elections, primaries, and general elections to ensure the uniform and orderly conduct of elections in this state. The staff shall provide the results of each audit conducted under this section to the county canvassing board of the affected county and filed with the secretary of state. The reports of the audits are public records, and the secretary of state shall make them available for inspection and copying as provided by law."

Renumber the following section and change internal references accordingly.

Ms. Bowman spoke in favor of adoption of the amendment, and Mr. Anderson spoke against it. The amendment was not adopted.

Ms. Bowman moved adoption of the following amendment:

On page 2, after line 24, strike all material through "once." on page 3, line 8, and insert:

"After being counted, the votes cast in any single precinct may not be recounted more than twice."

Ms. Bowman spoke in favor of adoption of the amendment, and it was adopted.

Ms. Bowman moved adoption of the following amendment:

On page 3, after line 8, insert the following:

"NEW SECTION. Sec. 4. An election audit section is established in the office of the secretary of state. The election audit staff shall conduct a thorough audit of each county's election procedures whenever the unofficial returns of a primary or general election for a legislative race indicate that a mandatory recount is likely for that race. Whenever unofficial returns indicate a mandatory recount is likely in a state-wide election or an election for federal office, the election audit staff shall conduct an audit of as many selected counties as time and staff permit."

Renumber the following section and change internal references accordingly.

Ms. Bowman spoke in favor of adoption of the amendment, and Mr. Anderson spoke against it. The amendment was not adopted.

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Jones and McLean spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1571, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Locke - 01.

Engrossed Substitute House Bill No. 1571, having received the constitutional majority, was declared passed.

Representative Locke appeared at the bar of the House.

HOUSE BILL NO. 1347, by Representatives Cole, Prentice, Winsley, Heavey, Wood, Anderson, R. King, Jacobsen, Brough, Edmondson, Miller, Paris, G. Fisher, Ludwig, Pruitt, Phillips, Sprengle and Brekke

Allowing employees to use sick leave to care for children under one year of age.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1677, by Representatives Cooper, R. Fisher, Peery, Ogden, H. Myers, Morris, Jacobsen and Winsley

Updating population criteria for high capacity transportation programs.

The bill was read the second time. On motion of Ms. R. Fisher, Substitute House Bill No. 1677 was substituted for House Bill No. 1677, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1677 was read the second time.

Mr. Kremen moved adoption of the following amendments:

On page 2, line 8, after "thousand" insert "except for those counties that do not border a county with a population as described under subsection (a) of this subsection"

On page 6, line 23, after "thousand" insert "except for those counties that do not border a county with a population as described under subsection (a) of this subsection"

On page 9, line 18, after "ten thousand" insert "except for those counties that do not border a county with a population as described in subsection (i) of this subsection"

Mr. Kremen spoke in favor of adoption of the amendments, and they were adopted.

Mr. Holland moved adoption of the following amendment by Representatives Holland, Kremen, May and Appelwick:

On page 35, after line: 21, insert:

"Sec. 32. RCW 46.61 and 1984 c 7 s 65 are each amended to read as follows:

The state department of transportation and the local authorities are authorized to reserve all or any portion of any highway under their respective jurisdictions, including any designated lane or ramp, for the exclusive or preferential use of public transportation vehicles or private motor vehicles carrying no fewer than a specified number of passengers when such limitation will increase the efficient utilization of the highway or will aid in the conservation of energy resources. Regulations authorizing such exclusive

or preferential use of a highway facility ~~may~~ shall be declared to be effective at ~~all times~~ ~~or at~~ specified times of day or on specified days when there is high traffic usage. The department will use accumulated traffic data for making the high traffic determination."

Renumber the following section accordingly.

Representatives Holland and May spoke in favor of adoption of the amendment, and Representatives R. Fisher, Betrozoff and Nelson spoke against it. The amendment was not adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1131, by Representatives Valle, Ferguson, Belcher, Holland, Bowman, Sprengle, Brekke and Forner

Prohibiting municipal employees' conflicts of interest.

The bill was read the second time.

Ms. Schmidt moved adoption of the following amendment by Representatives Schmidt, Zellinsky, Valle and Haugen:

On page 3, after line 24, insert the following:

Sec. 2. RCW 42.21.020 and 1989 c 175 s 93 are each amended to read as follows:

"Public official" means every person holding a position of public trust in or under an executive, legislative, or judicial office of the state, political subdivision, or municipality in this state and includes judges of the superior court, district court, municipal court, the court of appeals, and justices of the supreme court, members of the legislature (~~(together with)~~), the secretary and sergeant at arms of the senate and the clerk and sergeant at arms of the house of representatives, elective and appointive (~~(state)~~) officials, and such employees of the supreme court, of the legislature, and of the state (~~(offices as)~~), political subdivisions, or municipalities in this state who are engaged in supervisory, policy making, or policy enforcing work.

"Candidate" means any individual who declares himself to be a candidate for an elective office and who if elected thereto would meet the definition of public official herein set forth.

"Regulatory agency" means any state board, commission, department, or officer authorized by law to make rules or to conduct adjudicative proceedings except those in the legislative or judicial branches.

Renumber the remaining section consecutively.

Representatives Schmidt and Zellinsky spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendment by Representatives Schmidt, Zellinsky, Valle and Haugen to the title was adopted:

On page 1, line 1 of the title, after "employees;" insert "amending RCW 42.21.020;"

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Valle and Ferguson spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1131, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Schmidt - 01.

Engrossed House Bill No. 1131, having received the constitutional majority, was declared passed.

### MOTION

On motion of Mr. Dorn, the House recessed until 6:00 p.m.

### EVENING SESSION

The Speaker (Mr. R. Meyers presiding) called the House to order at 6:00 p.m. The Clerk called the roll and all members were present except Representatives Appelwick, Hargrove, Morris, Schmidt, H. Sommers and Wang. On motion of Mr. Vance, Representative Schmidt was excused.

### SECOND READING

HOUSE BILL NO. 1690, by Representatives Riley, Ludwig and Scott

Changing juvenile disposition standards.

The bill was read the second time. On motion of Ms. Spanel, Substitute House Bill No. 1690 was substituted for House Bill No. 1690, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1690 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Riley spoke in favor of passage of the bill:

Representative Wang appeared at the bar of the House.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1690, and the bill passed the House by the following vote: Yeas - 93, Nays - 0, Absent - 4, Excused - 1.

Voting yea: Representatives Anderson, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Silver, Sommers, D., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Appelwick, Hargrove, Morris, Sommers, H. - 04.

Excused: Representative Schmidt - 01.

Substitute House Bill No. 1690, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1715, by Representatives Rasmussen, Brumsickle, Haugen, Bowman, Dorn, Paris and Sheldon

Making the office of sheriff nonpartisan.

The bill was read the second time. On motion of Mr. Anderson, Substitute House Bill No. 1715 was substituted for House Bill No. 1715, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1715 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rasmussen and Brumsickle spoke in favor of passage of the bill, and Mr. McLean spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1715, and the bill passed the House by the following vote: Yeas - 86, Nays - 7, Absent - 4, Excused - 1.

Voting yea: Representatives Anderson, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Former, Franklin, Fraser, Fuhrman, Grant, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Insee, Jacobsen, Johnson P., Johnson, R., King, R., Kremen, Leonard, Lisk, Locke, May, Meyers, R., Mielke, Miller, Mitchell, Morton, Moyer, Myers, H., Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Scott, Sheldon, Silver, Sommers, D., Spanel, Sprenkle, Tate, Valle, Van Luven, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 86.

Voting nay: Representatives Fisher, R., Jones, Ludwig, McLean, Nealey, Vance, Wang - 07.

Absent: Representatives Appelwick, Hargrove, Morris, Sommers, H. - 04.

Excused: Representative Schmidt - 01.

Substitute House Bill No. 1715, having received the constitutional majority, was declared passed.

Representative Schmidt appeared at the bar of the House.

HOUSE BILL NO. 1716, by Representatives Wood, Haugen, Ferguson, Cooper, Zellinsky, Miller, Franklin, Beck, Bray, Edmondson, Horn, Wynne, Rayburn, Nealey, Roland, Mitchell, Winsley and Paris

Standardizing terminology relating to county auditors and recording officers.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wood and Cooper spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1716, and the bill passed the House by the following vote: Yeas - 94, Nays - 0, Absent - 4, Excused - 0.

Voting yea: Representatives Anderson, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Former, Franklin, Fraser, Fuhrman, Grant, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Insee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell,

Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Appelwick, Hargrove, Morris, Sommers, H. - 04.

House Bill No. 1716, having received the constitutional majority, was declared passed.

Representatives Appelwick, Hargrove, Morris and H. Sommers appeared at the bar of the House.

HOUSE BILL NO. 1717, by Representatives Mielke, Day, Tate, Dellwo, Moyer, Belcher, Wood, Padden, Zellinsky, Bowman, Paris, Morton, Anderson, Holland, Broback, Ferguson, Ballard, P. Johnson, Brumsickle, Betrozoff, Chandler, Fuhrman, Nealey, Casada, D. Sommers, Forner, Horn, Wineberry, Scott, Wang, Van Luven, Winsley, Wynne, Brough, Miller, May and Mitchell

Requiring disclosure of the right to cancel mortgage insurance.

The bill was read the second time. On motion of Mr. Dellwo, Substitute House Bill No. 1717 was substituted for House Bill No. 1717, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1717 was read the second time.

Mr. Mielke moved adoption of the following amendment by Representatives Mielke and Dellwo:

On page 1, line 12, after "satisfied", strike "; (b) Of " and insert "and".  
Renumber the remaining subsection accordingly.

Mr. Mielke spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1726, by Representatives Spanel, Jacobsen, Kremen, Ogden, Prince, R. Johnson, Braddock and Wineberry

Including certain tribally controlled colleges in definitions of institutions of higher education.

The bill was read the second time. On motion of Mr. Jacobsen, Substitute House Bill No. 1726 was substituted for House Bill No. 1726, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1726 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Spanel spoke in favor of passage of the bill.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1726, and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 1, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Morris - 01.

Substitute House Bill No. 1726, having received the constitutional majority, was declared passed.

Representative Morris appeared at the bar of the House.

HOUSE BILL NO. 1743, by Representatives Dellwo, Broback, R. Meyers, R. Johnson, Dorn, Zellinsky, Paris, Scott and Winsley

Revising regulation of high-interest consumer loans.

The bill was read the second time. On motion of Mr. Dellwo, Substitute House Bill No. 1743 was substituted for House Bill No. 1743, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1743 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Dellwo and Broback spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1743, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1743, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1755, by Representatives Braddock, Bowman and Anderson

Revising provisions for registration of architects.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 1847, by Representatives Van Luven, Grant, McLean, Sheldon, Tate, Ferguson, Bowman, Chandler and Paris

Prohibiting any person who has worked for an agency from becoming an administrative law judge for that agency for two years.

The bill was read the second time. On motion of Mr. Anderson, Substitute House Bill No. 1847 was substituted for House Bill No. 1847, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1847 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Van Luven spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1847, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1847, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1886, by Representatives H. Myers, Padden, Cooper, Morris, Ogden, Peery, Tate, Ludwig, Fuhrman, Paris, Wineberry, May, Winsley, Sheldon, Rasmussen and Orr

Requiring drug and alcohol evaluation and treatment in the event of a vehicular crime.

The bill was read the second time. On motion of Mr. Appelwick, Substitute House Bill No. 1886 was substituted for House Bill No. 1886, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1886 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. H. Myers spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1886, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R.,

Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1886, having received the constitutional majority, was declared passed.

#### MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 1901 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1913, by Representatives Hargrove, Grant and Neher

Revising collective bargaining provisions for certain employees of the division of prisons of the department of corrections.

The bill was read the second time. Committee on Human Services recommendation: Majority, do pass substitute. Committee on Commerce & Labor recommendation: Majority, do pass substitute by Committee on Human Services as amended by Committee on Commerce & Labor. (For committee amendments, see Journal, 52nd Day, March 6, 1991.)

On motion of Mr. Heavey, Substitute House Bill No. 1913 was substituted for House Bill No. 1913, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1913 was read the second time.

#### MOTION

Mr. Heavey moved that the House defer further consideration of Substitute House Bill No. 1913 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 1997, by Representatives Tate, Riley, Padden, Hargrove, Mielke, Ludwig, Bowman, Dorn, Ferguson, Paris, D. Sommers, Vance, Forner, Scott, Winsley, Kremen, Broback, Brough, Roland, Jacobsen, Holland, Horn, Wynne, Morton, R. Johnson, Van Luven, Chandler, P. Johnson, Brumsickle, Silver and Rasmussen

Clarifying provisions relating to registration of sex offenders.

The bill was read the second time. On motion of Mr. Ludwig, Substitute House Bill No. 1997 was substituted for House Bill No. 1997, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1997 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Tate spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1997, and the bill passed the House by the following vote: Yeas - 97, Nays - 1, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Bray, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luvan, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Brekke - 01.

Substitute House Bill No. 1997, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2018, by Representatives Mitchell, Ferguson, G. Fisher, Cooper and Nealey

Concerning unclaimed property held by port districts.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 2069, by Representatives Lisk, Heavey, Ballard, Grant, D. Sommers, Kremen, Fuhrman, Prince, Rayburn, Chandler, Winsley, Mitchell, Vance, Inslee and Silver

Revising provisions for employer relief from unemployment insurance charges.

The bill was read the second time. On motion of Mr. Heavey, Substitute House Bill No. 2069 was substituted for House Bill No. 2069, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2069 was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Lisk spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2069, and the bill passed the House by the following vote: Yeas - 98; Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Loven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 2069, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2141, by Representatives Prince, Jacobsen, Anderson and Winsley

Establishing a state oral history program.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 52nd Day, March 6, 1991.)

Mr. Anderson moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Prince and Jacobsen spoke in favor of passage of the bill.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2141, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprengle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 2141, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2168, by Representative R. Meyers

Directing a temporary study of truck weight.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 52nd Day, March 6, 1991.)

Ms. R. Fisher moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives R. Fisher, Betrozoff and Moyer spoke in favor of passage of the bill, and Ms. Brough spoke against it.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2168, and the bill passed the House by the following vote: Yeas - 97, Nays - 1, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller,

Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Brough - 01.

Engrossed House Bill No. 2168, having received the constitutional majority, was declared passed.

HOUSE JOINT RESOLUTION NO. 4200, by Representatives Locke, Ballard, Appelwick, Peery, Ludwig, Belcher, Prince, H. Myers, Tate, Vance, D. Sommers, Morton, Wineberry, McLean, Edmondson, Chandler, P. Johnson, Moyer, Hochstatter, Lisk, Wood, Paris, Casada, Nealey, Brekke, Silver, May and Anderson

Amending the Constitution to remove the special procedures for nonpartisan elections.

The resolution was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives Anderson and McLean spoke in favor of passage of the resolution.

#### ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 4200, and the resolution passed the House by the following vote: Yeas - 94, Nays - 4, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Braddock, Heavey, Meyers, R., Peery - 04.

House Joint Resolution No. 4200, having received the constitutional majority, was declared passed.

The Speaker (Mr. R. Meyers presiding) declared the House to be at ease.

The Speaker (Mr. R. Meyers presiding) called the House to order.

### MOTION

Mr. Ebersole moved that the House immediately consider the following bills on the regular second reading calendar in the following order: House Bill No. 1625 and House Bill No. 2089. The motion was carried.

HOUSE BILL NO. 1625, by Representatives McLean, Rayburn, Nealey, Kremen, Chandler, Grant, Fuhrman, Ballard, Moyer and Rasmussen

Removing the requirement for the development of a plan for voluntary combined reporting for agricultural employers.

The bill was read the second time.

On motion of Mr. Dorn, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives McLean and Heavey spoke in favor of passage of the bill.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1625, and the bill passed the House by the following vote: Yeas - 98, Nays - 0, Absent - 0, Excused - 0.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Bray, Brekke, Broback, Brough, Brumsickle, Cantwell, Casada, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Forner, Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Hochstatter, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones, King, R., Kremen, Leonard, Lisk, Locke, Ludwig, May, McLean, Meyers, R., Mielke, Miller, Mitchell, Morris, Morton, Moyer, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Paris, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Tate, Valle, Vance, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1625, having received the constitutional majority, was declared passed.

### MOTION

On motion of Mr. Vance, Representative Forner was excused.

HOUSE BILL NO. 2089, by Representatives Anderson, Bowman, Pruitt, Grant, R. Fisher, Ferguson, R. Johnson and Franklin

Fixing the date of the presidential primary.

The bill was read the second time. On motion of Mr. Anderson, Substitute House Bill No. 2089 was substituted for House Bill No. 2089, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2089 was read the second time.

Ms. Bowman moved adoption of the following amendment:

On page 1, after "elected," strike "~~((or such other date as may be selected by the secretary of state to advance the concept of a regional primary,))~~" and insert "or such other date as may be selected by the secretary of state to advance the concept of a regional primary,"

Ms. Bowman spoke in favor of adoption of the amendment, and Mr. Anderson spoke against it.

The Speaker (Mr. R. Meyers presiding) stated the question before the House to be adoption of the amendment by Representative Bowman to Substitute House Bill No. 2089.

A division was called. The Speaker (Mr. R. Meyers presiding) called upon the House to divide. The result of the division was: Yeas - 39, Nays - 58. The amendment was not adopted.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Anderson and Basich spoke in favor of passage of the bill, and Representatives McLean and Padden spoke against it.

#### POINT OF ORDER

Ms. Hine: I do believe that the gentlemen was prognosticating far too prematurely and was not speaking to this issue. There will be wonderful candidates.

#### SPEAKER'S RULING

The Speaker (Mr. R. Meyers presiding): Representative Padden, please confine your remarks to the bill in front of you.

Mr. Padden concluded his remarks against passage of the bill.

#### ROLL CALL...

The Clerk called the roll on the final passage of Substitute House Bill No. 2089, and the bill passed the House by the following vote: Yeas - 61, Nays - 36, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Fisher, G., Fisher, R., Franklin, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Johnson R., Jones, King, R., Kremen, Leonard, Locke, Ludwig, Meyers, R., Morris, Myers, H., Nelson, O'Brien, Ogden, Orr, Paris, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, H., Spanel, Sprenkle, Valle, Wang, Wineberry, Zellinsky, and Mr. Speaker - 61.

Voting nay: Representatives Ballard, Beck, Betrozoff, Bowman, Broback, Brough, Brumsickle, Casada, Chandler, Edmondson, Ferguson, Fuhrman, Hochstatter, Holland, Horn, Johnson P., Lisk, May, McLean, Mielke, Miller, Mitchell, Morton, Moyer, Nealey, Neher, Padden, Prince, Sommers, D., Tate, Vance, Van Luven, Wilson, Winsley, Wood, Wynne - 36.

Excused: Representative Forner - 01.

Substitute House Bill No. 2089, having received the constitutional majority, was declared passed.

### MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1676 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1676, by Representatives Inslee, Winsley, R. Meyers, Dorn, Dellwo, Zellinsky, Jacobsen, Rasmussen and Sheldon

Establishing punitive liability for injury or wrongful death from driving while intoxicated.

The bill was read the second time. On motion of Mr. Appelwick, Substitute House Bill No. 1676 was substituted for House Bill No. 1676, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1676 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Inslee, Dellwo and Padden spoke in favor of passage of the bill, and Mr. Paris spoke against it.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1676, and the bill passed the House by the following vote: Yeas - 83, Nays - 14, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Bray, Brekke, Broback, Cantwell, Casada, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Edmondson, Ferguson, Fisher, G., Fisher, R., Franklin, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Johnson P., Johnson R., Jones,

King, R., Kremen, Leonard, Locke, Ludwig, May, McLean, Meyers, R., Miller, Mitchell, Morris, Morton, Myers, H., Nealey, Neher, Nelson, O'Brien, Ogden, Orr, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Riley, Roland, Rust, Schmidt, Scott, Sheldon, Silver, Sommers, D., Sommers, H., Spanel, Sprenkle, Valle, Van Luven, Wang, Wilson, Wineberry, Winsley, Wood, Wynne, Zellinsky, and Mr. Speaker - 83.

Voting nay: Representatives Ballard, Beck, Betrozoff, Bowman, Brough, Brumsickle, Chandler, Hochstatter, Lisk, Mielke, Moyer, Paris, Tate, Vance - 14.

Excused: Representative Forner - 01.

Substitute House Bill No. 1676, having received the constitutional majority, was declared passed.

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

#### MOTION

On motion of Mr. Ebersole, the House adjourned until 9:30 a.m., Thursday, March 14, 1991.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk