

FIFTY NINTH LEGISLATURE - REGULAR SESSION

SIXTY EIGHTH DAY

House Chamber, Olympia, Friday, March 18, 2005

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sarah De Rusha and Alex Leingang-Kollmer. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. Prayer was offered by Representative Dave Quall.

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

MESSAGE FROM THE SENATE

March 16, 2005

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5094,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5396,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5730,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5806,
ENGROSSED SENATE BILL NO. 6010,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6050,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

RESOLUTION

HOUSE RESOLUTION NO. 2005-4644, By Representative Quall

WHEREAS, Providing all Washington state children a public education is the paramount duty of the state; and

WHEREAS, It is impossible to provide our children a quality public education if they cannot get to school, if they are hungry during the school day, or if the schools they arrive at are neglected, cold, and unsafe; and

WHEREAS, Classified employees are the bus drivers who are safely transporting, in sometimes dangerous road conditions, over 474,514 students each day in 9,035 buses over 500,000 miles; the child nutrition employees providing breakfast for 113,518 students and lunches for over 440,000 students each day; and the custodian, maintenance, and security employees ensuring that the 2,174 school buildings where our children are receiving their education are functional, warm, clean, and safe; and

WHEREAS, Classified employees are the secretaries who make sure that all parents, staff, and most importantly all children receive the necessary support and services while at the same time providing love and attention to each student's special needs, even if all that is needed is a Band-Aid, a friendly ear, or a reminder; and

WHEREAS, Classified employees are the instructional assistants who are increasingly depended upon to provide individualized attention to students in the classroom to ensure they meet the higher academic standards, as well as provide such specialized services as nursing and interpreting for deaf children and children with disabilities and students who speak other languages; and

WHEREAS, Classified employees are normally the first employees called upon when there is a threat to our children's safety and security; and

WHEREAS, It is necessary to employ over 50,000 classified employees to provide these essential support services to the nearly one million students receiving public education; and

WHEREAS, Washington state students have had their education significantly enhanced by the services of classified school employees; and

WHEREAS, Washington state citizens seldom reflect on the critical role classified employees play in providing our children a quality education; and

WHEREAS, Governor Christine O. Gregoire, has proclaimed Classified School Employee Week, March 14 through 18, 2005;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor classified school employees during Classified School Employee Week and urge all citizens to join in honoring and recognizing the dedication and hard work of all classified school employees; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Public School Employees of Washington.

Representative Quall moved the adoption of the resolution.

Representatives Quall and Buri spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4644 was adopted.

The Speaker assumed the chair.

INTRODUCTION & FIRST READING

HCR 4409 by Representatives Kagi and Chase

Creating the homeowners' association act committee.

Referred to Committee on Rules.

ESB 5094 by Senator Jacobsen

AN ACT Relating to special assessments for conservation district activities and programs; and amending RCW 89.08.400.

Referred to Committee on Economic Development, Agriculture & Trade.

ESB 5160 by Senators Eide, Swecker, Berkey and Regala

AN ACT Relating to the use of a wireless communications device while operating a motor vehicle; adding a new section to chapter 46.61 RCW; creating new sections; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

ESSB 5285 by Senate Committee on Water, Energy & Environment (originally sponsored by Senators Poulsen, Morton, Rockefeller, Honeyford, Kline, Mulliken and Oke)

AN ACT Relating to updating the water quality joint development act to provide local government flexibility; amending RCW 70.150.040, 70.150.070, and 90.48.285; and reenacting and amending RCW 39.10.020 and 39.10.902.

Referred to Committee on Local Government.

ESSB 5396 by Senate Committee on Natural Resources, Ocean & Recreation (originally sponsored by Senators Fraser, Esser, Jacobsen, Oke, Regala, Swecker, Rockefeller, Spanel, Pridemore, Thibaudeau, Haugen and Kline)

AN ACT Relating to expanding the criteria for habitat conservation programs; amending RCW 79A.15.010, 79A.15.030, 79A.15.040, 79A.15.050, 79A.15.060, 79A.15.070, 79A.15.080, 84.33.140, and 77.12.203; adding new sections to chapter 79A.15 RCW; adding a new section to chapter 79.70 RCW; adding a new section to chapter 79.71 RCW; creating a new section; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Capital Budget.

SB 5477 by Senators Kline, Brandland, Hargrove, Esser, Fairley, Kastama, Shin, Pridemore, Weinstein, Haugen, Berkey, Prentice and Rockefeller

AN ACT Relating to sentencing outside the standard sentence range; amending RCW 9.94A.530 and 9.94A.535; adding a new section to chapter 9.94A RCW; creating a new section; and declaring an emergency.

Referred to Committee on Criminal Justice & Corrections.

ESSB 5730 by Senate Committee on International Trade & Economic Development (originally sponsored by Senators Doumit, Zarelli, Eide, Shin, Rasmussen and Mulliken)

AN ACT Relating to regulation of small businesses; and amending RCW 19.85.020, 19.85.030, 19.85.040, 19.85.070, and 34.05.671.

Referred to Committee on State Government Operations & Accountability.

ESSB 5806 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Kohl-Welles, Hargrove, Rasmussen and Jacobsen)

AN ACT Relating to child care services; amending RCW 74.15.130; adding new sections to chapter 74.15 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Children & Family Services.

ESB 6010 by Senator Fairley

AN ACT Relating to employment rights of peace corps and humanitarian organization volunteers and faith-based missionaries; and adding a new section to chapter 41.06 RCW.

Referred to Committee on State Government Operations & Accountability.

ESSB 6050 by Senate Committee on Ways & Means (originally sponsored by Senators Parlette, Doumit, Morton and Mulliken)

AN ACT Relating to providing financial assistance to cities, towns, and counties; amending RCW 82.45.060; adding a new section to chapter 43.08 RCW; adding a new section to chapter 44.28 RCW; and providing an effective date.

Referred to Committee on Capital Budget.

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

REPORTS OF STANDING COMMITTEES

March 18, 2005

ESB 5606 Prime Sponsor, Senator Pridemore:
Concerning the activation of the national guard. Reported by Committee on State Government Operations & Accountability

MAJORITY recommendation: Do pass. Signed by Representatives Haigh, Chairman; Green, Vice Chairman; Nixon, Ranking Minority Member; Clements, Assistant Ranking Minority Member; Hunt and Miloscia.

MINORITY recommendation: Without recommendation. Signed by Representatives McDermott and Schindler.

There being no objection, ENGROSSED SENATE BILL NO. 5606 was placed on the second reading calendar.

SECOND READING

SENATE BILL NO. 5993, By Senators Prentice, Doumit, Zarelli, Rasmussen and Kohl-Welles; by request of Office of Financial Management

Providing additional funding for crime victims' compensation.

The bill was read the second time.

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

Representatives O'Brien and Alexander spoke in favor of passage of the bill.

MOTIONS

On motion of Representative Clements, Representative Condotta, Crouse, Holmquist, McDonald, Newhouse, Roach, Schindler, Serben and Talcott were excused. On motion of Representative Santos, Representatives Darneille, Dunshee and Linville were excused.

The Speaker stated the question before the House to be the final passage of Senate Bill NO. 5993.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5993 and the bill passed the House by the following vote: Yeas - 86, Nays - 0, Absent - 0, Excused - 12.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Conway, Cox, Curtis, DeBolt, Dickerson, Dunn, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Lovick, McCoy, McCune, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schual-Berke, Sells, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 86.

Excused: Representatives Condotta, Crouse, Darneille, Dunshee, Holmquist, Linville, McDonald, Newhouse, Roach, Schindler, Serben and Talcott - 12.

SENATE BILL NO. 5993, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5606, By Senators Pridemore, Schmidt, McAuliffe and Kohl-Welles; by request of Governor Gregoire

Concerning the activation of the national guard.

The bill was read the second time.

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

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

The Speaker stated the question before the House to be the final passage of Engrossed Senate Bill No. 5606.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5606 and the bill passed the House by the following vote: Yeas - 85, Nays - 1, Absent - 0, Excused - 12.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Conway, Cox, Curtis, DeBolt, Dickerson, Dunn, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hinkle, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz,

Kristiansen, Lantz, Lovick, McCoy, McCune, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schual-Berke, Sells, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 85.

Voting nay: Representative Hasegawa - 1.

Excused: Representatives Condotta, Crouse, Darneille, Dunshee, Holmquist, Linville, McDonald, Newhouse, Roach, Schindler, Serben and Talcott - 12.

ENGROSSED SENATE BILL NO. 5606, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Chandler: "Thank you, Mr. Speaker. Last Tuesday evening, this body engaged in "

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

There being no objection, the House adjourned until 10:00 a.m., March 21, 2005, the 71st Day of the Regular Session.

FRANK CHOPP, Speaker

RICHARD NAFZIGER, Chief Clerk

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