

FIFTY NINTH LEGISLATURE - REGULAR SESSION

EIGHTY EIGHTH DAY

House Chamber, Olympia, Thursday, April 7, 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 Bryce Bowers and Caitlin White. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. Prayer was offered by Alexander Brunett, Archdiocese of Seattle.

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

RESOLUTION

HOUSE RESOLUTION NO. 2005-4659. By Representatives Dunn, Miloscia, Moeller, Kenney, Newhouse, Condotta, Ericksen, Curtis, Sells, Strow, McDermott, Shabro, Skinner, Rodne, Walsh, Alexander, Jarrett, Hunt, Lovick, P. Sullivan, McDonald, Fromhold, Hunter, Lantz, Takko, Morris, Tom, Roach, Holmquist, Bailey, Cox, Orcutt, McCune, Clements, Morrell, Grant, Chopp, Kessler, Kirby, Chase, Ericks, Conway, Hudgins, Hasegawa, Kilmer, O'Brien, Simpson, Blake, Schual-Berke, Upthegrove and Talcott

WHEREAS, Karol Józef Wojtyła, known as John Paul II since his October 1978 election to the papacy, was born in Wadowice, a small city 50 kilometers from Cracow, on May 18, 1920. He was the second of two sons born to Karol Wojtyła and Emilia Kaczorowska. His mother died in 1929. His eldest brother Edmund, a doctor, died in 1932 and his father, a noncommissioned army officer died in 1941; and

WHEREAS, He made his First Holy Communion at age 9 and was confirmed at 18. Upon graduation from Marcin Wadowita high school in Wadowice, he enrolled in Cracow's Jagiellonian University in 1938 and in a school for drama; and

WHEREAS, The Nazi occupation forces closed the university in 1939 and young Karol had to work in a quarry (1940-1944) and then in the Solvay chemical factory to earn his living and to avoid being deported to Germany; and

WHEREAS, In 1942, aware of his call to the priesthood, he began courses in the clandestine seminary of Cracow, run by Cardinal Adam Stefan Sapieha, Archbishop of Cracow. At the same time, Karol Wojtyła was one of the pioneers of the "Rhapsodic Theatre," also clandestine; and

WHEREAS, After the Second World War, he continued his studies in the major seminary of Cracow, once it had

re-opened, and in the faculty of theology of the Jagiellonian University, until his priestly ordination in Cracow on November 1, 1946; and

WHEREAS, Soon after, Cardinal Sapieha sent him to Rome where he worked under the guidance of the French Dominican, Garrigou-Lagrange. He finished his doctorate in theology in 1948 with a thesis on the topic of faith in the works of St. John of the Cross. At that time, during his vacations, he exercised his pastoral ministry among the Polish immigrants of France, Belgium, and Holland; and

WHEREAS, In 1948 he returned to Poland and was vicar of various parishes in Cracow as well as chaplain for the university students until 1951, when he took up again his studies on philosophy and theology. In 1953 he defended a thesis on "evaluation of the possibility of founding a Catholic ethic on the ethical system of Max Scheler" at Lublin Catholic University. Later he became professor of moral theology and social ethics in the major seminary of Cracow and in the Faculty of Theology of Lublin; and

WHEREAS, On July 4, 1958, he was appointed Auxiliary Bishop of Cracow by Pope Pius XII, and was consecrated September 28, 1958, in Wawel Cathedral, Cracow, by Archbishop Baziak; and

WHEREAS, On January 13, 1964, he was nominated Archbishop of Cracow by Pope Paul VI, who made him a cardinal June 26, 1967; and

WHEREAS, Since the start of his Pontificate on October 16, 1978, Pope John Paul II has completed 104 pastoral visits outside of Italy and 146 within Italy. As Bishop of Rome he has visited 317 of the 333 parishes; and

WHEREAS, No other Pope has encountered so many individuals as has John Paul II: More than 17,600,000 people have participated in more than 1,160 General Audiences held on Wednesdays. Such figure is without counting all other special audiences and services held, including more than 8 million people during the Great Jubilee of the Year 2000 alone and the millions of faithful met during pastoral visits made in Italy and throughout the world. It must also be remembered the numerous government personalities encountered during 38 official visits and in the 738 audiences and meetings held with Heads of State, and 246 audiences and meetings with Prime Ministers; and

WHEREAS, During his over a quarter-century reign, Pope John Paul II amassed a legacy of historic achievements, from his forging of a Catholic-Jewish rapprochement over the Holocaust, to his significant contribution to the decline and fall of communism in Eastern Europe in the 1980s, the fall of the

Berlin Wall, and the reunification of Eastern and Western Europe;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the state of Washington recognize and honor the extraordinary achievements and life of Pope John Paul II, a voice for the voiceless and the vulnerable and a friend to humanity; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Papal Office of the Vatican, Rome, Italy.

Representative Dunn moved the adoption of the resolution.

Representatives Dunn and Miloscia spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4659 was adopted.

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

SECOND READING

SENATE BILL NO. 5974, By Senators Prentice, Hargrove and Haugen; by request of Lieutenant Governor

Providing information to pregnant women about opiate treatment programs.

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 Hinkle and Dickerson spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5974.

MOTIONS

On motion of Representative Santos, Representatives Kagi and McIntire were excused. On motion of Representative Clements, Representatives Condotta, Cox, DeBolt, Skinner and Sump were excused.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5974 and the bill passed the House by the following vote: Yeas - 91, Nays - 0, Absent - 0, Excused - 7.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Conway, Crouse, Curtis, Darneille, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 91.

Excused: Representatives Condotta, Cox, DeBolt, Kagi, McIntire, Skinner and Sump - 7.

SENATE BILL NO. 5974, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5979, By Senators Benson, Carrell, Mulliken, Kastama, Poulsen, Parlette, Hewitt, Esser, Schmidt, Delvin, Berkey, Franklin, Sheldon, Brandland, Swecker, Schoesler, Zarelli, Honeyford, Rasmussen and Oke

Prohibiting interference with search and rescue dogs.

The bill was read the second time.

On motion of Representative O'Brien, the committee amendment by the Committee on Criminal Justice & Corrections was adopted. (For committee amendment, see Journal, 82nd Day, April 1, 2005.)

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

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5979, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5979, as amended by the House, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Conway, Cox,

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

Excused: Representatives Condotta, Skinner and Sump - 3.

SENATE BILL NO. 5979, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5997, By Senate Committee on Financial Institutions, Housing & Consumer Protection (originally sponsored by Senators Spanel and Benton)

Regulating out-of-state banks, savings banks, and mutual savings banks branches.

The bill was read the second time.

On motion of Representative Kirby, the committee amendment by the Committee on Financial Institutions & Insurance was adopted. (For committee amendment, see Journal, 2nd Day, April 4, 2005.)

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

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5997, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5997, as amended by the House, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

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

Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 95.

Excused: Representatives Condotta, Skinner and Sump - 3.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5997, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 6033, By Senator Doumit

Creating a Washington coastal Dungeness crab pot buoy tag program.

The bill was read the second time.

On motion of Representative B. Sullivan, the committee amendment by the Committee on Natural Resources, Ecology & Parks was adopted. (For committee amendment, see Journal, 79th Day, March 29, 2005.)

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

Representative B. Sullivan spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 6033, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6033, as amended by the House, and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

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

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

Excused: Representatives Condotta, Skinner and Sump - 3.

SENATE BILL NO. 6033, as amended by the House, having received the necessary constitutional majority, was declared passed.

MESSAGES FROM THE SENATE

April 6, 2005

Mr. Speaker:

The President has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5002,
SENATE BILL NO. 5044,
ENGROSSED SENATE BILL NO. 5045,
SENATE BILL NO. 5046,
SENATE BILL NO. 5053,
SUBSTITUTE SENATE BILL NO. 5105,
SENATE BILL NO. 5142,
SENATE BILL NO. 5589,
SUBSTITUTE SENATE BILL NO. 5832,
SENATE BILL NO. 5833,
SENATE BILL NO. 5977,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

April 7, 2005

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 1387,
HOUSE BILL NO. 1396,
HOUSE BILL NO. 1479,
SUBSTITUTE HOUSE BILL NO. 1502,
HOUSE BILL NO. 1554,
SUBSTITUTE HOUSE BILL NO. 1657,
HOUSE BILL NO. 1759,
SUBSTITUTE HOUSE BILL NO. 1891,
HOUSE BILL NO. 2166,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

April 7, 2005

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1048,
SUBSTITUTE HOUSE BILL NO. 1097,

HOUSE BILL NO. 1140,
SUBSTITUTE HOUSE BILL NO. 1171,
ENGROSSED HOUSE BILL NO. 1246,
HOUSE BILL NO. 1260,
HOUSE BILL NO. 1319,
HOUSE BILL NO. 1325,
HOUSE BILL NO. 1327,
HOUSE BILL NO. 1328,
HOUSE BILL NO. 1329,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

SECOND READING

SUBSTITUTE SENATE BILL NO. 5664, By Senate Committee on Early Learning, K-12 & Higher Education (originally sponsored by Senators McAuliffe, Eide, Brandland, Regala, Thibaudeau, Stevens, Keiser, Kline and Rasmussen)

Improving teachers' skills with regard to children with learning differences.

The bill was read the second time.

Representative P. Sullivan moved the adoption of the following amendment (389):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 28A.415.023 and 1997 c 90 s 1 are each amended to read as follows:

(1) Credits earned by certificated instructional staff after September 1, 1995, shall be eligible for application to the salary schedule developed by the legislative evaluation and accountability program committee only if the course content:

(a) Is consistent with a school-based plan for mastery of student learning goals as referenced in RCW ~~((28A.320.205))~~ 28A.655.110, the annual school performance report, for the school in which the individual is assigned;

(b) Pertains to the individual's current assignment or expected assignment for the subsequent school year;

(c) Is necessary to obtain an endorsement as prescribed by the state board of education;

(d) Is specifically required to obtain advanced levels of certification; ~~((or))~~

(e) Is included in a college or university degree program that pertains to the individual's current assignment, or potential future assignment, as a certified instructional staff; or

(f) Addresses research-based assessment and instructional strategies for students with dyslexia, dysgraphia, and language disabilities when addressing learning goal one under RCW 28A.150.210, as applicable and appropriate for individual certificated instructional staff.

(2) For the purpose of this section, "credits" mean college quarter hour credits and equivalent credits for approved in-service, approved continuing education, or approved internship hours computed in accordance with RCW 28A.415.020.

(3) The superintendent of public instruction shall adopt rules and standards consistent with the limits established by this section for certificated instructional staff."

Representatives P. Sullivan, Quall and Talcott spoke in favor of adoption of the amendment.

The amendment was adopted.

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

Representatives Quall and Talcott spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5664, as amended by the House.

MOTION

On motion of Representative Santos, Representative Murray was excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5664, as amended by the House and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Murray and Skinner - 2.

SUBSTITUTE SENATE BILL NO. 5664, as amended by the House, having received the necessary constitutional majority, was declared passed.

**HOUSE CONCURRENT RESOLUTION NO. 4408,
By Representatives Quall, Ormsby, Dunn and McDermott**

Creating a joint select committee on secondary education.

The concurrent resolution was read the second time.

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

Representatives Quall and Talcott spoke in favor of passage of the concurrent resolution.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Concurrent Resolution No. 4408.

HOUSE CONCURRENT RESOLUTION NO. 4408 was adopted.

SENATE BILL NO. 5039, By Senators Rasmussen, Schoesler and Shin; by request of Department of Agriculture

Regulating the processing of milk and milk products.

The bill was read the second time.

On motion of Representative Linville, the committee amendment by the Committee on Economic Development, Agriculture & Trade was adopted. (For committee amendment, see Journal, 82nd Day, April 1, 2005.)

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

Representatives Linville and Kristiansen spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5039, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5039, as amended by the House and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi,

Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Murray and Skinner - 2.

SENATE BILL NO. 5039, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5136, By Senators Doumit, Mulliken, Zarelli and Rasmussen

Modifying fire protection district property tax levies.

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 Hunter and Orcutt spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5136.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5136 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Murray and Skinner - 2.

SENATE BILL NO. 5136, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5577, By Senate Committee on Financial Institutions, Housing & Consumer Protection (originally sponsored by Senators Fairley, Keiser, Kline, Fraser, Poulsen and Kohl-Welles)

Making available relocation assistance payments to tenants.

The bill was read the second time.

On motion of Representative Miloscia, the committee amendment by the Committee on Housing was before the House for purpose of amendments. (For committee amendment, see Journal, 78th Day, March 28, 2005.)

With the consent of the House, amendment (391) was withdrawn.

Representative Holmquist moved the adoption of amendment (401) to the committee amendment:

On page 2, line 25, after "knowledge;" strike "and"

On page 2, line 30, after "hurricane" insert "; and (iii) A landlord shall not be required to pay relocation assistance to any displaced tenant in a case in which a condemnation affects one or more dwelling units and the tenant's displacement is a direct result of the acquisition of the property by eminent domain"

Representatives Holmquist and Miloscia spoke in favor of the adoption of the amendment to the committee amendment.

The amendment to the committee amendment was adopted.

Representative Schindler moved the adoption of amendment (392) to the committee amendment:

On page 2, line 33, after "rent." strike "The amount of relocation assistance shall be adjusted annually by the percentage change in the housing component of the consumer price index as published by the United States department of labor, bureau of labor statistics."

Representatives Schindler and Miloscia spoke in favor of the adoption of the amendment to the committee amendment.

The amendment to the committee amendment was adopted.

Representative Dunn moved the adoption of amendment (395) to the committee amendment:

On page 2, line 33, after "rent." insert "If a landlord has the capability and is willing to physically move the tenant to another dwelling, the tenant must accept such an arrangement in lieu of a portion of the total relocation assistance payment. The amount by which the relocation assistance payment shall be reduced to take into consideration the move shall be based upon the average of three estimates for the specific move in question obtained by the landlord from area moving companies."

On page 3, line 3, after "assistance" insert "except as provided in subsection (3)(b) of this section"

Representative Dunn spoke in favor of the adoption of the amendment to the committee amendment.

Representative Milosecia spoke against the adoption of the amendment to the committee amendment.

The amendment to the committee amendment was not adopted.

The committee amendment as amended was adopted.

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

Representatives Hunt and Holmquist spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5577, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5577, as amended by the House and the bill passed the House by the following vote: Yeas - 84, Nays - 12, Absent - 0, Excused - 2.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Darneille, DeBolt, Dickerson, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Milosecia, Moeller, Morrell, Morris, Newhouse, Nixon, O'Brien, Ormsby, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 84.

Voting nay: Representatives Ahern, Buri, Cox, Crouse, Curtis, Dunn, Kretz, Kristiansen, Orcutt, Pearson, Roach and Sump - 12.

Excused: Representatives Murray and Skinner - 2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5577, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5767, By Senate Committee on Financial Institutions, Housing & Consumer Protection (originally sponsored by Senators McAuliffe, Haugen, Keiser, Kline, Kohl-Welles, Fairley, Franklin, Shin, Berkey and Hargrove)

Developing plans to address the housing needs of homeless persons. (REVISED FOR PASSED LEGISLATURE: Creating a homeless housing task force in each county.)

The bill was read the second time.

Representative Ormsby moved the adoption of the following amendment (386):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 43.-- RCW (created in HB 2163, as amended) to read as follows:

(1) Each county shall create a homeless housing task force to develop a ten-year homeless housing plan addressing short-term and long-term housing for homeless persons.

Membership on the task force may include representatives of the counties, cities, towns, housing authorities, civic and faith organizations, schools, community networks, human services providers, law enforcement personnel, criminal justice personnel, including prosecutors, probation officers, and jail administrators, substance abuse treatment providers, mental health care providers, emergency health care providers, businesses, at-large representatives of the community, and a homeless or formerly homeless individual.

In lieu of creating a new task force, a local government may designate an existing governmental or nonprofit body which substantially conforms to this section and which includes at least one homeless or formerly homeless individual to serve as its homeless representative. As an alternative to a separate plan, two or more local governments may work in concert to develop and execute a joint homeless housing plan, or to contract with another entity to do so according to the requirements of this chapter. While a local government has the authority to subcontract with other entities, the local government continues to maintain the ultimate responsibility for the homeless housing program within its borders.

A county may decline to participate in the program authorized in this chapter by forwarding to the department a resolution adopted by the county legislative authority stating the intention not to participate. A copy of the resolution shall also be transmitted to the county auditor and treasurer. If a county declines to participate, the department shall create and execute a local homeless housing plan for the county meeting the requirements of this chapter.

(2) In addition to developing a ten-year homeless housing plan, each task force shall establish guidelines consistent with the statewide homeless housing strategic plan, as needed, for the following:

(a) Emergency shelters;

- (b) Short-term housing needs;
- (c) Temporary encampments;
- (d) Supportive housing for chronically homeless persons; and
- (e) Long-term housing.

Guidelines must include, when appropriate, standards for health and safety and notifying the public of proposed facilities to house the homeless.

(3) Each county, including counties exempted from creating a new task force under subsection (1) of this section, shall report to the department of community, trade, and economic development such information as may be needed to ensure compliance with this chapter."

Correct the title.

Representative Holmquist moved the adoption of amendment (396) to amendment (386):

On page 2, after line 19, insert the following:

"**NEW SECTION. Sec. 2.** If Engrossed Second Substitute House Bill No. 2163 is not enacted by June 30, 2005, this act is null and void."

Representative Holmquist spoke in favor of adoption of the amendment to the amendment.

Representative Miloscia spoke against the adoption of the amendment to the amendment.

The amendment to the amendment was not adopted.

Amendment (386) was adopted.

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

Representative Ormsby spoke in favor of passage of the bill.

Representatives Holmquist and Ahern spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5767, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5767, as amended by the House and the bill passed the House by the following vote: Yeas - 58, Nays - 38, Absent - 0, Excused - 2.

Voting yea: Representatives Appleton, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eickmeyer, Ericks, Flannigan, Fromhold, Grant, Green, Haigh, Hankins, Hasegawa, Hinkle, Hudgins, Hunt,

Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Ormsby, Pettigrew, Quall, Roberts, Santos, Schual-Berke, Sells, Simpson, Sommers, Springer, B. Sullivan, P. Sullivan, Takko, Upthegrove, Wallace, Williams, Wood, Woods and Mr. Speaker - 58.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Buck, Buri, Chandler, Clements, Condotta, Cox, Crouse, Curtis, DeBolt, Dunn, Ericksen, Haler, Holmquist, Jarrett, Kretz, Kristiansen, McCune, McDonald, Newhouse, Nixon, Orcutt, Pearson, Priest, Roach, Rodne, Schindler, Serben, Shabro, Strow, Sump, Talcott, Tom, and Walsh - 38.

Excused: Representatives Murray and Skinner - 2.

SUBSTITUTE SENATE BILL NO. 5767, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5161, By Senate Committee on Transportation (originally sponsored by Senators Eide and Swecker)

Including reports of driving distractions in accident reports.

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 Wallace and Woods spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5161.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5161 and the bill passed the House by the following vote: Yeas - 67, Nays - 29, Absent - 0, Excused - 2.

Voting yea: Representatives Appleton, Bailey, Blake, Campbell, Chase, Clements, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eickmeyer, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schual-Berke, Sells, Simpson, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Takko, Talcott, Upthegrove, Wallace, Williams, Wood, Woods and Mr. Speaker - 67.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Buck, Buri, Chandler, Condotta, Cox, Crouse, Curtis, DeBolt, Dunn, Ericks, Hinkle, Holmquist, Kretz, Kristiansen, McCune, McDonald, Nixon, Pearson, Roach, Schindler, Serben, Shabro, Sump, Tom and Walsh - 29.

Excused: Representatives Murray and Skinner - 2.

SUBSTITUTE SENATE BILL NO. 5161, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

April 7, 2005

Mr. Speaker:

The Senate has passed HOUSE BILL NO. 1092, and the same is herewith transmitted.

Thomas Hoemann, Secretary

SECOND READING

ENGROSSED SENATE BILL NO. 5355, By Senators Doumit, Zarelli and Jacobsen

Modifying provisions for salmon and steelhead recovery in the lower Columbia region.

The bill was read the second time.

Representative Buck moved the adoption of the following amendment (419):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 77.85.200 and 2001 c 135 s 1 are each amended to read as follows:

(1) A program for salmon and steelhead recovery is established in Clark, Cowlitz, Lewis, Skamania, and Wahkiakum counties within the habitat areas classified as the lower Columbia evolutionarily significant ((~~unit 4~~) units) by the federal national marine fisheries service. The management board created under subsection (2) of this section is responsible for ((~~implementing the habitat portion of the approved~~) developing and overseeing the implementation of the habitat portion of the salmon and steelhead recovery ((~~initiative~~) plan and is empowered to receive and disburse funds for the ((~~approved~~) salmon and steelhead recovery initiatives. The management board created pursuant to this section shall constitute the lead entity and the committee established under RCW 77.85.050 responsible for fulfilling the requirements and exercising powers under this chapter.

(2) A management board consisting of fifteen voting members is created within the lower Columbia evolutionarily significant ((~~unit 4~~) units). The members shall consist of one county commissioner or designee from each of the five participating counties selected by each county legislative authority; one member representing the cities contained within the lower Columbia evolutionarily significant ((~~unit 4~~) units) as a voting member selected by the cities in the lower

Columbia evolutionarily significant ((~~unit 4~~) units); a representative of the Cowlitz Tribe appointed by the tribe; one state legislator elected from one of the legislative districts contained within the lower Columbia evolutionarily significant ((~~unit 4~~) units) selected by that group of state legislators representing the area; five representatives to include at least one member who represents private property interests appointed by the five county commissioners or designees; one hydro utility representative nominated by hydro utilities and appointed by the five county commissioners or designees; and one representative nominated from the environmental community who resides in the lower Columbia evolutionarily significant ((~~unit 4~~) units) appointed by the five county commissioners or designees. The board shall appoint and consult a technical advisory committee, which shall include four representatives of state agencies one each appointed by the directors of the departments of ecology, fish and wildlife, and transportation, and the commissioner of public lands. The board may also appoint additional persons to the technical advisory committee as needed. The chair of the board shall be selected from among the members of the management board by the five county commissioners or designees and the legislator on the board. In making appointments under this subsection, the county commissioners shall consider recommendations of interested parties. Vacancies shall be filled in the same manner as the original appointments were selected. No action may be brought or maintained against any management board member, the management board, or any of its agents, officers, or employees for any noncontractual acts or omissions in carrying out the purposes of this section.

(3)(a) The management board shall participate in the development of a habitat recovery plan to implement its responsibilities under (b) of this subsection. The management board shall consider local watershed efforts and activities as well as habitat conservation plans in the development and implementation of the recovery plan. Any of the participating counties may continue its own efforts for restoring steelhead habitat. Nothing in this section limits the authority of units of local government to enter into interlocal agreements under chapter 39.34 RCW or any other provision of law.

(b) The management board is responsible for ((~~implementing the habitat portions of the local government responsibilities of the lower Columbia steelhead conservation initiative approved by the state and the national marine fisheries service~~) the development of a lower Columbia salmon and steelhead habitat recovery plan and for coordinating and monitoring the implementation of the plan. The management board will submit all future plans and amendments to plans to the governor's salmon recovery office for the incorporation of hatchery, harvest, and hydropower components of the statewide salmon recovery strategy for all submissions to the national marine fisheries service. In developing and implementing the habitat recovery plan, the management board will work with appropriate federal and state agencies, tribal governments, local governments, and the public to make sure hatchery, harvest, and hydropower components receive consideration in context with the habitat component. The management board may work in cooperation with the state and the national marine fisheries service to modify the ((~~initiative~~) plan, or to address habitat for other aquatic species that may be subsequently listed under the federal endangered species act. The management board may not exercise authority over land or water within the individual counties or otherwise preempt the authority of any units of local government.

(c) The management board shall prioritize as appropriate and approve projects and programs related to the recovery of lower Columbia river salmon and steelhead runs, including the funding of

those projects and programs, and coordinate local government efforts as prescribed in the recovery plan. The management board shall establish criteria for funding projects and programs based upon their likely value in salmon and steelhead recovery. The management board may consider local economic impact among the criteria, but jurisdictional boundaries and factors related to jurisdictional population may not be considered as part of the criteria.

(d) The management board shall assess the factors for decline along each (~~(prioritized stream as listed)~~) tributary basin in the lower Columbia (~~(steelhead conservation initiative)~~). The management board is encouraged to take a stream-by-stream approach in conducting the assessment which utilizes state and local expertise, including volunteer groups, interest groups, and affected units of local government.

(4) The management board has the authority to hire and fire staff, including an executive director, enter into contracts, accept grants and other moneys, disburse funds, make recommendations to cities and counties about potential code changes and the development of programs and incentives upon request, pay all necessary expenses, and may choose a fiduciary agent. The management board shall report on its progress on a (~~(quarterly)~~) biennial basis to the legislative bodies of the five participating counties and the state natural resource-related agencies. The management board shall prepare a final report at the conclusion of the program describing its efforts and successes in developing and implementing the (~~(habitat portion of the)~~) lower Columbia salmon and steelhead (~~(conservation initiative)~~) recovery plan. The final report shall be transmitted to the appropriate committees of the legislature, the legislative bodies of the participating counties, and the state natural resource-related agencies.

(5) The program terminates on July 1, (~~(2006)~~) 2010.

(6) For purposes of this section, "evolutionarily significant unit" means the habitat area identified for an evolutionarily significant unit of an aquatic species listed or proposed for listing as a threatened or endangered species under the federal endangered species act (16 U.S.C. Sec. 1531 et seq.)."

Representatives Buck and B. Sullivan spoke in favor of adoption of the amendment.

The amendment was adopted.

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

Representatives B. Sullivan and Buck spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5355, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5355, as amended by the House, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Murray and Skinner - 2.

ENGROSSED SENATE BILL NO. 5355, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5441, By Senate Committee on Ways & Means (originally sponsored by Senators Weinstein, McAuliffe, Prentice, Kohl-Welles, Eide, Berkey, Poulsen, Keiser, Brown, Fraser, Shin, Haugen, Schmidt, Kline, Rockefeller, Spanel and Rasmussen; by request of Governor Gregoire)

Requiring an education and higher education finance study.

The bill was read the second time.

On motion of Representative Sommers, the committee amendment by the Committee on Appropriations was adopted. (For committee amendment, see Journal, 85th Day, April 4, 2005.)

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

Representatives Fromhold and Anderson spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5441, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5441, as amended by the

House, and the bill passed the House by the following vote: Yeas - 76, Nays - 20, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appleton, Bailey, Blake, Buri, Campbell, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Curtis, Darneille, Dickerson, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, Nixon, O'Brien, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schual-Berke, Sells, Shabro, Simpson, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Takko, Tom, Upthegrove, Wallace, Williams, Wood, Woods and Mr. Speaker - 76.

Voting nay: Representatives Ahern, Alexander, Armstrong, Buck, Chandler, Crouse, DeBolt, Dunn, Hinkle, Holmquist, Kretz, McDonald, Newhouse, Orcutt, Roach, Schindler, Serben, Sump, Talcott, and Walsh - 20.

Excused: Representatives Murray and Skinner - 2.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5441, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5492, By Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Deccio, Kline, Parlette, Mulliken and Pflug; by request of Department of Health)

Modifying hospital reporting of restrictions on health care practitioners.

The bill was read the second time.

On motion of Representative Cody, the committee amendment by the Committee on Health Care was before the House for purpose of amendments. (For committee amendment, see Journal, 82nd Day, April 1, 2005.)

Representative Cody moved the adoption of amendment (414) to the committee amendment:

On page 2, line 35, after "report" insert ", unless the conviction, determination, or finding on which the report and its content are based is proven to not have been made in good faith. The prevailing party in any action brought alleging the conviction, determination, finding or report was not made in good faith, shall be entitled to recover the costs of litigation, including reasonable attorney's fees"

Representatives Cody and Bailey spoke in favor of the adoption of the amendment to the committee amendment.

The amendment to the committee amendment was adopted.

The committee amendment as amended was adopted.

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

Representatives Cody and Bailey spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5492, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5492, as amended by the House, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Murray and Skinner - 2.

SUBSTITUTE SENATE BILL NO. 5492, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5631, By Senate Committee on Human Services & Corrections (originally sponsored by Senators Regala, Hargrove, Stevens, Brandland, Kline, McAuliffe, Franklin, Prentice, Esser, Delvin and Kohl-Welles)

Changing provisions relating to inmate work programs.

The bill was read the second time.

On motion of Representative O'Brien, the committee amendment by the Committee on Criminal Justice & Correction was before the House for purpose of amendments.

(For committee amendment, see Journal, 82nd Day, April 1, 2005.)

Representative Pearson moved the adoption of amendment (413) to the committee amendment:

On page 3, after line 14 of the striking amendment, insert "(vi) The department shall maintain a public record of each class II item sold and purchased under subsection (2) of this section. The record shall include a list of who purchased each item, the quantity of each item purchased, and the purchase price of each item sold. The department shall present a copy of the report on a quarterly basis to the correctional industries board of directors."

Representative Pearson spoke in favor of the adoption of the amendment to the committee amendment.

Representative O'Brien spoke against the adoption of the amendment to the committee amendment.

The amendment to the committee amendment was not adopted.

The committee amendment was adopted.

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

Representatives O'Brien, Kagi and Darneille spoke in favor of passage of the bill.

Representatives Pearson, Ericksen, Walsh, Ahern and Anderson spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5631, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5631, as amended by the House, and the bill passed the House by the following vote: Yeas - 55, Nays - 41, Absent - 0, Excused - 2.

Voting yea: Representatives Appleton, Blake, Campbell, Chase, Clements, Clibborn, Cody, Conway, Darneille, Dickerson, Eickmeyer, Ericks, Flannigan, Fromhold, Grant, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kirby, Lantz, Lovick, McCoy, McCune, McDermott, McIntire, Miloscia, Moeller, Morrell, O'Brien, Ormsby, Pettigrew, Quall, Roberts, Santos, Schual-Berke, Sells, Simpson, Sommers, Springer, B. Sullivan, P. Sullivan, Takko, Tom, Upthegrove, Wallace, Williams, Wood and Mr. Speaker - 55.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Buck, Buri, Chandler, Condotta, Cox, Crouse, Curtis, DeBolt, Dunn, Dunshee, Ericksen, Haler, Hankins, Hinkle, Holmquist, Kilmer, Kretz, Kristiansen, Linville, McDonald, Morris, Newhouse, Nixon, Orcutt, Pearson, Priest, Roach, Rodne, Schindler, Serben, Shabro, Strow, Sump, Talcott, Walsh and Woods - 41.

Excused: Representatives Murray and Skinner - 2.

SUBSTITUTE SENATE BILL NO. 5631, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5699, By Senate Committee on Natural Resources, Ocean & Recreation (originally sponsored by Senators Oke, Jacobsen, Spanel, Doumit, Kline, Rockefeller and Rasmussen)

Preventing and controlling aquatic invasive species and algae.

The bill was read the second time.

On motion of Representative B. Sullivan, the committee amendment by the Committee on Natural Resources, Ecology & Parks was adopted. (For committee amendment, see Journal, 82nd Day, April 1, 2005.)

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

Representatives B. Sullivan and Buck spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5699, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5699, as amended by the House, and the bill passed the House by the following vote: Yeas - 91, Nays - 5, Absent - 0, Excused - 2.

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

Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 91.

Voting nay: Representatives Condotta, Dunn, Kristiansen, Pearson, and Sump - 5.

Excused: Representatives Murray and Skinner - 2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5699, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5709, By Senate Committee on Transportation (originally sponsored by Senators Parlette, Swecker, Honeyford, Mulliken, Sheldon and Benton)

Exempting vehicles in inaccessible national recreation areas from license renewal fees.

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 Wallace and Armstrong spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5709.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5709 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Murray and Skinner - 2.

SUBSTITUTE SENATE BILL NO. 5709, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5831, By Senators Morton and Poulsen

Concerning well construction.

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 Linville and Hinkle spoke in favor of passage of the bill.

Representatives Kristiansen, Holmquist and Schindler spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5831.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5831 and the bill passed the House by the following vote: Yeas - 57, Nays - 39, Absent - 0, Excused - 2.

Voting yea: Representatives Appleton, Buri, Campbell, Chase, Clements, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eickmeyer, Ericks, Flannigan, Fromhold, Grant, Haigh, Haler, Hasegawa, Hinkle, Hunter, Jarrett, Kagi, Kenney, Kessler, Kirby, Kretz, Lantz, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Newhouse, Nixon, O'Brien, Ormsby, Pettigrew, Priest, Quall, Roberts, Santos, Schual-Berke, Simpson, Sommers, Springer, Sullivan, B., Sump, Takko, Tom, Upthegrove, Wallace, Williams, Wood and Mr. Speaker - 57.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Blake, Buck, Chandler, Condotta, Cox, Crouse, Curtis, DeBolt, Dunn, Ericksen, Green, Hankins, Holmquist, Hudgins, Hunt, Kilmer, Kristiansen, McCune, McDonald, Morrell, Morris, Orcutt, Pearson, Roach, Rodne, Schindler, Sells, Serben, Shabro, Strow, Sullivan, P., Talcott, Walsh and Woods - 39.

Excused: Representatives Murray and Skinner - 2.

SENATE BILL NO. 5831, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5872, By Senate Committee on Human Services & Corrections (originally sponsored by Senators Stevens,

Carrell, Mulliken, Deccio, Finkbeiner, Delvin, Benson, Johnson, Oke, Hewitt and Schmidt)

Requiring findings and recommendations regarding a department of family and children's services. (REVISED FOR ENGROSSED: Creating a task force on the administrative organization, structure, and delivery of services to children and families.)

The bill was read the second time.

On motion of Representative Sommers, the committee amendment by the Committee on Appropriations was adopted. (For committee amendment, see Journal, 85th Day, April 4, 2005.)

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

Representative Kagi spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5872, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5872, as amended by the House, and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Murray and Skinner - 2.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5872, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5914, By Senate Committee on Natural Resources, Ocean & Recreation (originally sponsored by Senators Parlette and Jacobsen)

Concerning the conditioning of grants and loans by the salmon recovery funding board.

The bill was read the second time.

On motion of Representative B. Sullivan, the committee amendment by the Committee on Natural Resources, Ecology & Parks was adopted. (For committee amendment, see Journal, 82nd Day, April 1, 2005.)

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5914, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5914, as amended by the House, and the bill passed the House by the following vote: Yeas - 95, Nays - 1, Absent - 0, Excused - 2.

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

Voting nay: Representative Kretz - 1.

Excused: Representatives Murray and Skinner - 2.

SUBSTITUTE SENATE BILL NO. 5914, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6022, By Senate Committee on Financial Institutions, Housing & Consumer Protection (originally sponsored by Senator Prentice)

Changing provisions relating to surety bonds or insurance for public building or construction contracts.

The bill was read the second time.

On motion of Representative Kirby, the committee amendment by the Committee on Financial Institutions & Insurance was adopted. (For committee amendment, see Journal, 82nd Day, April 1, 2005.)

Representative Kirby moved the adoption of amendment (409):

On page 2, after line 35, insert the following:

"(7) The exclusions specified in subsection (6) of this section do not apply to surety bonds."

Representatives Kirby and Serben spoke in favor of the adoption of the amendment:

The amendment was adopted.

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

Representative Kirby spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6022, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6022, as amended by the House and the bill passed the House by the following vote: Yeas - 95, Nays - 1, Absent - 0, Excused - 2.

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

Voting nay: Representative Dunn - 1.

Excused: Representatives Murray and Skinner - 2.

SUBSTITUTE SENATE BILL NO. 6022, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6025, By Senate Committee on International Trade & Economic Development (originally sponsored by Senators Shin, Kohl-Welles, Thibaudeau and Rasmussen)

Appointing a trade policy professional to represent the office of the Washington state trade representative.

The bill was read the second time.

On motion of Representative Linville, the committee amendment by the Committee on Economic Development, Agriculture & Trade was adopted. (For committee amendment, see Journal, 82nd Day, April 1, 2005.)

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

Representatives Linville, Anderson and Chase spoke in favor of passage of the bill.

Representative Kristiansen spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6025, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6025, as amended by the House and the bill passed the House by the following vote: Yeas - 75, Nays - 21, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Campbell, Chase, Clements, Clibborn, Cody, Conway, Cox, Darneille, Dickerson, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Nixon, O'Brien, Ormsby, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schual-Berke, Shabro, Simpson, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Williams, Wood, Woods and Mr. Speaker - 75.

Voting nay: Representatives Alexander, Buri, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Haler, Hankins, Hinkle, Holmquist, Kretz, Kristiansen, Newhouse, Orcutt, Pearson, Schindler, Sells, Serben and Walsh - 21.

Excused: Representatives Murray and Skinner - 2.

SUBSTITUTE SENATE BILL NO. 6025, as amended by the House, having received the necessary constitutional majority, was declared passed.

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

There being no objection, the House adjourned until 10:00 a.m., April 8, 2005, the 89th Day of the Regular Session.

FRANK CHOPP, Speaker
RICHARD NAFZIGER, Chief Clerk

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1092	Messages	9
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1171-S	President Signed	4
1246	President Signed	4
1260	President Signed	4
1319	President Signed	4
1325	President Signed	4
1327	President Signed	4
1328	President Signed	4
1329	President Signed	4
1387-S	President Signed	4
1396	President Signed	4
1479	President Signed	4
1502-S	President Signed	4
1554	President Signed	4
1657-S	President Signed	4
1759	President Signed	4
1891-S	President Signed	4
2166	President Signed	4

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	Second Reading	5
	Adopted	5
4659		
	Introduced	1
	Adopted	2
5002-S		
	President Signed	4
5039		
	Second Reading Amendment	5
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5044		
	President Signed	4
5045		
	President Signed	4
5046		
	President Signed	4
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	President Signed	4
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5136		
	Second Reading	6
	Third Reading Final Passage	6
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	President Signed	4
5161-S		
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5355		
	Second Reading Amendment	9
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5441-S2		
	Second Reading Amendment	10
	Third Reading Final Passage	11
5492-S		
	Second Reading Amendment	11
	Third Reading Final Passage	11
5577-S		
	Second Reading Amendment	6
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5664-S		
	Second Reading Amendment	4
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5699-S		
	Second Reading Amendment	12
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5709-S		
	Second Reading	13
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5767-S		

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5833	
President Signed	4
5872-S	
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