

SIXTIETH LEGISLATURE - REGULAR SESSION

NINETY FOURTH DAY

House Chamber, Olympia, Wednesday, April 11, 2007

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.

and the same are herewith transmitted.

Thomas Hoemann, Secretary

April 9, 2007

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Randi Wichert and Samantha Herriot. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. Prayer was offered by Reverend Brian Wiele, River Ridge Covenant Church, Olympia.

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5805, and the same is herewith transmitted.

Thomas Hoemann, Secretary

April 9, 2007

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

Mr. Speaker:

The President has signed:

MESSAGES FROM THE SENATE

April 10, 2007

Mr. Speaker:

The President has signed:

- SUBSTITUTE SENATE BILL NO. 5032,
- SECOND SUBSTITUTE SENATE BILL NO. 5114,
- SENATE BILL NO. 5206,
- SUBSTITUTE SENATE BILL NO. 5219,
- SUBSTITUTE SENATE BILL NO. 5225,
- SUBSTITUTE SENATE BILL NO. 5244,
- SENATE BILL NO. 5258,
- SENATE BILL NO. 5259,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5373,
- SUBSTITUTE SENATE BILL NO. 5475,
- SUBSTITUTE SENATE BILL NO. 5483,
- SENATE BILL NO. 5613,
- SENATE BILL NO. 5778,
- SENATE BILL NO. 5798,
- SECOND SUBSTITUTE SENATE BILL NO. 5806,
- SUBSTITUTE SENATE BILL NO. 5919,
- SENATE BILL NO. 6090,
- SENATE BILL NO. 6129,
- SUBSTITUTE SENATE BILL NO. 5141,
- SUBSTITUTE SENATE JOINT MEMORIAL NO. 8012,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

April 9, 2007

Mr. Speaker:

The Senate has passed:

- HOUSE BILL NO. 1344,
- SUBSTITUTE HOUSE BILL NO. 1500,
- HOUSE BILL NO. 1528,
- SUBSTITUTE HOUSE BILL NO. 1669,
- ENGROSSED HOUSE BILL NO. 1688,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1981,

- HOUSE BILL NO. 1000,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1024,
- HOUSE BILL NO. 1042,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1114,
- SUBSTITUTE HOUSE BILL NO. 1144,
- HOUSE BILL NO. 1185,
- SUBSTITUTE HOUSE BILL NO. 1261,
- SUBSTITUTE HOUSE BILL NO. 1262,
- SUBSTITUTE HOUSE BILL NO. 1278,
- HOUSE BILL NO. 1292,
- HOUSE BILL NO. 1305,
- HOUSE BILL NO. 1349,
- SUBSTITUTE HOUSE BILL NO. 1381,
- HOUSE BILL NO. 1437,
- SUBSTITUTE HOUSE BILL NO. 1458,
- HOUSE BILL NO. 1475,
- SUBSTITUTE HOUSE BILL NO. 1508,
- SUBSTITUTE HOUSE BILL NO. 1513,
- HOUSE BILL NO. 1793,
- SUBSTITUTE HOUSE BILL NO. 1848,
- HOUSE BILL NO. 1870,
- HOUSE BILL NO. 1940,
- HOUSE BILL NO. 1972,
- SUBSTITUTE HOUSE BILL NO. 2008,
- SUBSTITUTE HOUSE BILL NO. 2147,
- HOUSE BILL NO. 2161,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

April 10, 2007

Mr. Speaker:

The Senate has passed:

- HOUSE BILL NO. 1054,
- HOUSE BILL NO. 1069,
- SUBSTITUTE HOUSE BILL NO. 1135,
- HOUSE BILL NO. 1247,
- ENGROSSED SUBSTITUTE HOUSE BILL NO. 1249,
- SUBSTITUTE HOUSE BILL NO. 1258,

HOUSE BILL NO. 1341,
 HOUSE BILL NO. 1370,
 HOUSE BILL NO. 1412,
 HOUSE BILL NO. 1431,
 HOUSE BILL NO. 1447,
 SUBSTITUTE HOUSE BILL NO. 1642,
 HOUSE BILL NO. 1670,
 SECOND SUBSTITUTE HOUSE BILL NO. 1677,
 SUBSTITUTE HOUSE BILL NO. 1693,
 HOUSE BILL NO. 1747,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1756,
 SUBSTITUTE HOUSE BILL NO. 1826,
 HOUSE BILL NO. 1831,
 HOUSE BILL NO. 1888,
 HOUSE BILL NO. 1994,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2111,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 2164,
 SUBSTITUTE HOUSE BILL NO. 2286,
 SUBSTITUTE HOUSE BILL NO. 2300,
 HOUSE JOINT MEMORIAL NO. 4016,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

April 10, 2007

Mr. Speaker:

The President has signed:

HOUSE BILL NO. 1145,
 HOUSE BILL NO. 1231,
 HOUSE BILL NO. 1235,
 HOUSE BILL NO. 1236,
 SUBSTITUTE HOUSE BILL NO. 1279,
 SECOND SUBSTITUTE HOUSE BILL NO. 1280,
 HOUSE BILL NO. 1311,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1497,
 HOUSE BILL NO. 1549,
 HOUSE BILL NO. 1556,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1649,
 HOUSE BILL NO. 1676,
 SUBSTITUTE HOUSE BILL NO. 2010,
 ENGROSSED HOUSE BILL NO. 2105,
 SUBSTITUTE HOUSE BILL NO. 2158,
 SUBSTITUTE HOUSE BILL NO. 2361,

ENGROSSED SUBSTITUTE HOUSE JOINT MEMORIAL NO. 4011,
 and the same are herewith transmitted.

Thomas Hoemann, Secretary

INTRODUCTION & FIRST READING

E2SSB 5805 by Senate Committee on Ways & Means
 (originally sponsored by Senators Hatfield,
 Zarelli, Rasmussen, Swecker, Shin and
 Hargrove)

AN ACT Relating to the sales and use taxation of grain
 elevators; amending RCW 82.08.820, 82.08.820, 82.08.820,
 82.12.820, 82.12.820, and 82.12.820; providing effective
 dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Finance.

There being no objection, the bill listed on the day'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 sixth
 order of business.

SECOND READING

**HOUSE BILL NO. 2378, By Representatives
 Flannigan, Jarrett, Clibborn, Eddy, Seaquist and Roberts**

**Expediting new vessel construction for Washington
 state ferries.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2378
 was substituted for House Bill No. 2378 and the substitute bill
 was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2378 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 Flannigan, Jarrett and Seaquist spoke in
 favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the
 question before the House to be the final passage of Substitute
 House Bill No. 2378.

MOTION

On motion of Representative Santos, Representative
 Eickmeyer was excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute
 House Bill No. 2378 and the bill passed the House by the
 following vote: Yeas - 91, Nays - 6, Absent - 0, Excused - 1.

Voting yea: Representatives Alexander, Anderson,
 Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell,
 Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse,
 Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Ericks,
 Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey,
 Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter,
 Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz,
 Lantz, Linville, Lovick, McCoy, McCune, McDermott,
 McDonald, McIntire, Miloscia, Moeller, Morrell, Morris,
 Newhouse, O'Brien, Orcutt, Ormsby, Pedersen, Pettigrew,
 Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos,

Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 91.

Voting nay: Representatives Ahern, Dunn, Ericksen, Kristiansen, Pearson and Schindler - 6.

Excused: Representative Eickmeyer - 1.

SUBSTITUTE HOUSE BILL NO. 2378, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 6016, By Senate Committee on Ways & Means (originally sponsored by Senators Regala and Kohl-Welles)

Concerning good cause reasons for failure to participate in WorkFirst program components.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was not adopted. (For Committee amendment, see Journal, 85th Day, April 2, 2007.)

With the consent of the House, amendment (598) was withdrawn.

Representative Kagi moved the adoption of amendment (664):

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 74.08A.270 and 2002 c 89 s 1 are each amended to read as follows:

(1) Good cause reasons for failure to participate in WorkFirst program components include: (a) Situations where the recipient is a parent or other relative personally providing care for a child under the age of six years, and formal or informal child care, or day care for an incapacitated individual living in the same home as a dependent child, is necessary for an individual to participate or continue participation in the program or accept employment, and such care is not available, and the department fails to provide such care; or (b) the recipient is a parent with a child under the age of one year (~~except that at the time a child reaches the age of three months, the recipient is required to participate in one of the following for up to twenty hours per week:~~

~~(i) Instruction or training which has the purpose of improving parenting skills or child well-being;~~

~~(ii) Preemployment or job readiness training;~~

~~(iii) Course study leading to a high school diploma or GED; or~~

~~(iv) Volunteering in a child care facility licensed under chapter 74.15 RCW so long as the child care facility agrees to accept the recipient as a volunteer and the child without compensation while the parent is volunteering at the facility. The volunteer recipient and his or her child shall not be counted for the purposes of determining licensed capacity or the staff to child ratio of the facility).~~

(2) A parent claiming a good cause exemption from WorkFirst participation under subsection (1)(b) of this section may be required

to participate in one or more of the following, up to a maximum total of twenty hours per week, if such treatment, services, or training is indicated by the comprehensive evaluation or other assessment:

(a) Mental health treatment;

(b) Alcohol or drug treatment;

(c) Domestic violence services; or

(d) Parenting education or parenting skills training, if available.

(3) The department shall: (a) Work with a parent claiming a good cause exemption under subsection (1)(b) of this section to identify and access programs and services designed to improve parenting skills and promote child well-being, including but not limited to home visitation programs and services; and (b) provide information on the availability of home visitation services to temporary assistance for needy families caseworkers, who shall inform clients of the availability of the services. If desired by the client, the caseworker shall facilitate appropriate referrals to providers of home visitation services.

(4) Nothing in this section shall prevent a recipient from participating ((fully)) in the WorkFirst program on a voluntary basis. ((A recipient who chooses to participate fully in the WorkFirst program shall be considered to be fulfilling the requirements of this section.

(3) For any recipient who claims a good cause reason for failure to participate in the WorkFirst program based on the fact that the recipient has a child under the age of one year, the department shall, within existing resources, conduct an assessment of the recipient within ninety days and before a job search component is initiated in order to determine if the recipient has any specific service needs or employment barriers. The assessment may include identifying the need for substance abuse treatment, mental health treatment, or domestic violence services, and shall be used in developing the recipient's individual responsibility plan.

(4) A parent may only receive the exemption under subsection (1)(b) of this section one time, for one child.)

(5) A parent is eligible for a good cause exemption under subsection (1)(b) of this section for a maximum total of twelve months over the parent's lifetime."

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

The Speaker (Representative Lovick presiding) was unsure and divided the House. The result was 69 - YEAS; 28 -NAYS.

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 Kagi and Walsh spoke in favor of passage of the bill.

Representatives Haler, Alexander and Orcutt spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 6016, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 6016, as amended by the House and the bill passed the House by the following vote: Yeas - 66, Nays - 31, Absent - 0, Excused - 1.

Voting yea: Representatives Appleton, Barlow, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Quall, Roberts, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 66.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Buri, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Hailey, Haler, Hankins, Hinkle, Kretz, Kristiansen, McCune, Newhouse, Orcutt, Pearson, Priest, Roach, Rodne, Ross, Schindler, Skinner, Strow, Sump and Warnick - 31.

Excused: Representative Eickmeyer - 1.

SECOND SUBSTITUTE SENATE BILL NO. 6016, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5773, By Senators Hargrove, Parlette and Keiser; by request of Department of Social and Health Services

Modifying treatment records provisions.

The bill was read the second time.

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

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5773.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5773 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Eickmeyer - 1.

SENATE BILL NO. 5773, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5731, By Senate Committee on Higher Education (originally sponsored by Senators Shin, Delvin, Berkey, Sheldon, Tom, Oemig, Rasmussen, Pridemore, Roach, Jacobsen and Kohl-Welles)

Creating a committee on the education of students in high demand fields.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Higher Education was before the House for purpose of amendment. (For Committee amendment, see Journal, 82nd Day, March 30, 2007.)

Representative Dunshee moved the adoption of amendment (594) to the committee amendment:

On page 2, line 12, after "be" strike "convened by the prosperity partnership and"

On page 2, line 17, after "senate," strike "appointed by the president" and insert "with one appointed by each major caucus"

On page 2, line 37, after "(3)" strike "The prosperity partnership shall report the committee's" and insert "The committee shall receive staff and logistical support from senate committee services and the office of program research.

(4) The committee shall report its"

Renumber the remaining subsection consecutively.

Representatives Wallace and Anderson 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 Wallace, Anderson and Dunn 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. 5731, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5731, as amended by the House and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Eickmeyer - 1.

SUBSTITUTE SENATE BILL NO. 5731, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5123, By Senators Hobbs, Kilmer, Roach, Jacobsen, Shin, Fairley, Marr, Prentice, Carrell, Murray, Rasmussen, Keiser, Berkey, Haugen, Franklin, Hatfield, Eide, Kauffman, Fraser and McAuliffe

Protecting persons with veteran or military status from discrimination.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on State Government & Tribal Affairs was not adopted. (For Committee amendment, see Journal, 82nd Day, March 30, 2007.)

With the consent of the House, amendments (665) and (657) were out of order.

Representative Anderson moved the adoption of amendment (660):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 73.04 RCW to read as follows: The director of the department of veterans affairs shall study state, federal, and local programs serving veterans. The director shall provide the appropriate legislative committees with a comprehensive report on programs, resources, and benefits available to veterans and their families under federal, state, and local programs. The report must include terms of assistance under federal and state law. The director shall also make recommendations to the appropriate legislative committees about improving outreach regarding current services available to veterans and their families. The director must provide the report and recommendations to the appropriate legislative committees no later than December 1, 2008."

Correct the title.

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

Representative Hunt spoke against the adoption of the amendment.

The amendment was not adopted.

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

Representatives Hunt, Seaquist, Armstrong and Strow spoke in favor of passage of the bill.

Representatives Anderson 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. 5123.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5123 and the bill passed the House by the following vote: Yeas - 90, Nays - 7, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chase, Clibborn, Cody, Condotta, Conway, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rolfes, Ross, Santos, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 90.

Voting nay: Representatives Anderson, Chandler, Crouse, Ericksen, Kretz, Rodne and Schindler - 7.

Excused: Representative Eickmeyer - 1.

SENATE BILL NO. 5123, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5037, By Senate Committee on Transportation (originally sponsored by Senators Eide, Weinstein, Murray, Berkey, Regala, Rockefeller, Kauffman, Keiser, Spanel, Jacobsen and Kohl-Welles)

Restricting the use of a wireless communications device while operating a moving motor vehicle.

The bill was read the second time.

With the consent of the House, amendment (638) was withdrawn.

Representative Morris moved the adoption of amendment (549):

On page 1, beginning on line 15, strike all of sections 2 and 3 and insert the following:

"NEW SECTION. Sec. 2. A new section is added to chapter 43.43 RCW to read as follows:

(1) The Washington State Patrol shall conduct emphasis patrols to reduce distracted driving on sections of highway where data regarding distractions contributing to accidents compiled pursuant to RCW 46.52.060 indicates that the sections of highway have a higher than average number of collisions related to driver distractions for at least one year."

Correct the title.

Representatives Morris, Curtis, Ericksen, Hinkle, Bailey, Buri, Orcutt, Kristiansen, Armstrong and DeBolt spoke in favor of the adoption of the amendment.

Representatives Clibborn, McDonald and Ericks spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Lovick presiding) divided the House. The result was 44 - YEAS; 53 -NAYS.

The amendment was not adopted.

Representative Curtis moved the adoption of amendment (632):

On page 2, line 1, after "vehicle" insert "in a county located west of the Cascade mountains with a population density of more than one hundred persons per square mile and a land area of more than one thousand square miles"

Representatives Curtis, Hailey and Ericksen spoke in favor of the adoption of the amendment.

Representatives Sells, Clibborn and McDonald spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Anderson moved the adoption of amendment (718):

On page 2, line 2, after "ear" insert "and eating or drinking"

Representatives Anderson, Morris and Roach spoke in favor of the adoption of the amendment.

Representative Flannigan spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Ericksen moved the adoption of amendment (631):

On page 2, line 14, after "property" insert "
(d) A commercial vehicle who also holds a commercial driver's license while driving within the scope of his or her employment"

Representatives Ericksen, Curtis and Morris spoke in favor of the adoption of the amendment.

Representative Wood spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Curtis moved the adoption of amendment (635):

On page 2, line 14, after "property" insert "; or
(d) A for hire vehicle that is regulated under chapter 46.72 RCW or regulated in accordance with chapter 81.72 RCW"

Representatives Curtis and Orcutt spoke in favor of the adoption of the amendment.

Representative Sells spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Morris moved the adoption of amendment (641):

On page 2, line 14, after "property" insert ";
(d) A moving motor vehicle while using a hearing aid"

Representatives Morris and Clibborn spoke in favor of the adoption of the amendment.

The amendment was adopted.

Representative Ericksen moved the adoption of amendment (630):

On page 2, after line 17, insert "(4) Subsection (1) of this section does not restrict the operation of wireless communications devices using a half-duplex communication line, including two-way radio, where a button is used to switch from voice reception mode to transmit mode."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

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

Representative Clibborn spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Orcutt moved the adoption of amendment (634):

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

"NEW SECTION. Sec. 3. For the first twelve months after the effective date of this act, law enforcement officers may only issue verbal warnings for violations of section 2 of this act."

Renumber the remaining sections consecutively and correct the title.

Representatives Curtis and Orcutt spoke in favor of the adoption of the amendment.

Representative Clibborn spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Curtis moved the adoption of amendment (633):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 46.61 RCW to read as follows:

The Washington state traffic safety commission must create and implement a statewide educational program regarding the safety risks of using a wireless communications device while operating a motor vehicle. The educational program must include information regarding the utility of hands-free devices such as speaker phones, headsets, and earpieces.

NEW SECTION. Sec. 2. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2007, in the omnibus transportation appropriations act, this act is null and void."

Correct the title.

Representatives Curtis, Ericksen and Newhouse spoke in favor of the adoption of the amendment.

Representatives Clibborn spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Dunn withdrew amendment (658).

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 Clibborn, Jarrett, Kagi, Dunn, Dickerson, Walsh and Simpson spoke in favor of passage of the bill.

Representatives Ericksen, Dunn, Armstrong, DeBolt and Morris spoke against the 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. 5037, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5037, as amended by the House and the bill passed the House by the following vote: Yeas - 59, Nays - 38, Absent - 0, Excused - 1.

Voting yea: Representatives Appleton, Barlow, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunn, Dunshee, Eddy, Ericks, Flannigan, Grant, Green, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kenney, Kessler, Kirby, Lantz, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Morrell, O'Brien, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roberts, Rolfes, Ross, Santos, Seaquist, Sells, Simpson, Skinner, Sommers, Strow, Sullivan, B., Sullivan, P., Wallace, Walsh, Williams, Wood and Mr. Speaker - 59.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Blake, Buri, Chandler, Condotta, Crouse, Curtis, DeBolt, Ericksen, Fromhold, Goodman, Haigh, Hailey, Haler, Hinkle, Kelley, Kretz, Kristiansen, Linville, Moeller, Morris, Newhouse, Orcutt, Pearson, Roach, Rodne, Schindler, Schual-Berke, Springer, Sump, Takko, Upthegrove, Van De Wege and Warnick - 38.

Excused: Representative Eickmeyer - 1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5037, as amended by the House, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on ENGROSSED SUBSTITUTE SENATE BILL NO. 5037.

BILL FROMHOLD, 49th District

SIGNED BY THE SPEAKER

The Speaker signed:

HOUSE BILL NO. 1344,
 SUBSTITUTE HOUSE BILL NO. 1500,
 HOUSE BILL NO. 1528,
 SUBSTITUTE HOUSE BILL NO. 1669,
 ENGROSSED HOUSE BILL NO. 1688,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1981,
 SUBSTITUTE SENATE BILL NO. 5032,
 SECOND SUBSTITUTE SENATE BILL NO. 5114,
 SENATE BILL NO. 5206,
 SUBSTITUTE SENATE BILL NO. 5219,
 SUBSTITUTE SENATE BILL NO. 5225,
 SUBSTITUTE SENATE BILL NO. 5244,
 SENATE BILL NO. 5258,
 SENATE BILL NO. 5259,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5373,
 SUBSTITUTE SENATE BILL NO. 5475,
 SUBSTITUTE SENATE BILL NO. 5483,
 SENATE BILL NO. 5613,
 SENATE BILL NO. 5778,
 SENATE BILL NO. 5798,
 SECOND SUBSTITUTE SENATE BILL NO. 5806,
 SUBSTITUTE SENATE BILL NO. 5919,
 SENATE BILL NO. 6090,
 SENATE BILL NO. 6129,
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 8012,

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5297, By Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Haugen, Tom, Prentice, Keiser, Pridemore, Murray, Regala, Fraser, Kilmer, Rockefeller, McAuliffe, Shin, Weinstein, Kline, Marr, Kohl-Welles and Oemig)

Regarding providing medically and scientifically accurate sexual health education in schools.

The bill was read the second time.

Representative Anderson moved the adoption of amendment (721):

On page 1, line 18, after "prevention" insert ", including any updates,"

On page 2, line 22, after "prevention" insert ", including any updates,"

On page 2, line 34, after "(3)" insert "(a)"

On page 2, line 36, after "prevention" insert ", including any updates,"

On page 3, after line 3, insert the following:

"(b) The superintendent of public instruction and the department of health must review and, as needed, update the guidelines in 2010 and every five years thereafter. Before finalizing the updated guidelines for publication on the agencies' web sites, the agencies must provide an opportunity for public comment on the updated guidelines."

On page 3, line 7, after "prevention" insert ", including any updates"

Representatives Anderson and Hinkle spoke in favor of the adoption of the amendment.

Representative Schual-Berke spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Buri moved the adoption of amendment (732):

On page 2, line 8, after "(1)" insert "(a)"

On page 2, after line 24, insert the following:

"(b) A public school may not require a teacher to provide instruction in sexual health education as a condition of employment unless the teacher was initially hired after the effective date of this section to provide such instruction."

Representatives Buri, Ericksen, Curtis and Buri (again) spoke in favor of the adoption of the amendment.

Representative Hunt spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Haler moved the adoption of amendment (730):

On page 2, line 11, after "race," insert "color, creed, religion,"

Representatives Haler, Sump and Ericksen spoke in favor of the adoption of the amendment.

Representative Pedersen spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Hinkle moved the adoption of amendment (701):

On page 2, line 17, after "prevention." insert "Information on contraceptives and disease prevention must include the failure rate and rate of incorrect usage of all contraceptive methods discussed, both with respect to sexually transmitted diseases and pregnancy."

Representatives Hinkle, Buri, Ericksen and Orcutt spoke in favor of the adoption of the amendment.

Representative Schual-Berke spoke against the adoption of the amendment.

The amendment was not adopted.

An electronic roll call was requested.

The Speaker stated the question before the House to be adoption of amendment (701) to Engrossed Substitute Senate Bill No. 5297.

ROLL CALL

The Clerk called the roll on the adoption of amendment (701) to Engrossed Substitute Senate Bill No. 5297, and the amendment was not adopted by the following vote: Yeas - 40, Nays - 57, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Barlow, Buri, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Ericksen, Hailey, Haler, Hinkle, Hurst, Jarrett, Kelley, Kretz, Kristiansen, Lantz, McCoy, McCune, McDonald, Miloscia, Newhouse, Orcutt, Pearson, Priest, Roach, Rodne, Rolfes, Ross, Schindler, Skinner, Strow, Sump and Warnick - 40.

Voting nay: Representatives Appleton, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Ericks, Flannigan, Fromhold, Goodman,

Grant, Green, Haigh, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kirby, Linville, Lovick, McDermott, McIntire, Moeller, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Quall, Roberts, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 57.

Excused: Representative Eickmeyer - 1.

Representative Ahern moved the adoption of amendment (713):

On page 2, line 17, after "prevention" insert ", but the amount of instruction time spent on abstinence must be at least equal to the amount of instruction time spent on contraceptives and disease prevention"

Representatives Ahern, Hinkle, Orcutt, Sump, Armstrong and Ericksen spoke in favor of the adoption of the amendment.

Representative McDermott, Flannigan and Walsh spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Ahern moved the adoption of amendment (714):

On page 2, line 17, after "prevention." insert "Any practice discussed in the sexual health education instruction that does not result in one hundred percent protection from unintended pregnancy and sexually transmitted diseases may not be described as safe sex."

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

Representative Cody spoke against the adoption of the amendment.

The amendment was not adopted.

Representative McCune moved the adoption of amendment (720):

On page 2, line 17, after "prevention" insert "; however, it must be emphasized throughout the program that abstinence is the only medically and scientifically proven way to avoid pregnancy and sexually transmitted diseases"

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

Representative Appleton spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Haler moved the adoption of amendment (729):

On page 2, beginning on line 20, strike "speakers, curriculum, and materials used are in compliance with this section" and insert "students are provided with medically and scientifically accurate comprehensive sexual health education upon completion of the program"

Representatives Haler, Ericksen, Haler (again) and Hinkle spoke in favor of the adoption of the amendment.

Representatives Morrell and Wallace spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Warnick moved the adoption of amendment (710):

On page 2, line 21, after "education" strike "must" and insert "may"

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

Representative Moeller spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Bailey moved the adoption of amendment (740):

On page 2, line 21, after "section." insert "A school that offers sexual health education in grades below the seventh grade must provide for such instruction, in those grades, of girls separate from boys."

Representatives Bailey, Skinner, Buri, Schindler, Ahern and Roach spoke in favor of the adoption of the amendment.

Representative Williams spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Hinkle moved the adoption of amendment (700):

On page 2, line 24, after "instruction." and insert "Sexual health education may not require students to provide oral or written responses to questions involving the student's values or beliefs."

Representatives Hinkle and Ericksen spoke in favor of the adoption of the amendment.

Representative Quall spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Schindler moved the adoption of amendment (716):

On page 2, line 24, after "instruction." insert "Sexual health education instruction must include homework assignments which accurately reflect the information provided in the classroom and that are to be completed with, and signed by, a parent or legal guardian and returned to the instructor."

Representatives Schindler, Pearson, Kristiansen, Hinkle, Skinner, Orcutt, Ahern and Anderson spoke in favor of the adoption of the amendment.

Representative McDermott spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Newhouse moved the adoption of amendment (734):

On page 2, line 24, after "instruction" insert ", unless the school district board of directors determines that providing such sexual health education would conflict with how the values and character traits listed in RCW 28A.150.211 are learned as determined by consensus at the local level pursuant to RCW 28A.150.211"

Representatives Newhouse, Armstrong, Buri, Hinkle and Ericksen spoke in favor of the adoption of the amendment.

Representative Dickerson spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker stated the question before the House to be adoption of amendment (734) to Engrossed Substitute Senate Bill No. 5297.

ROLL CALL

The Clerk called the roll on the adoption of amendment (734) to Engrossed Substitute Senate Bill No. 5297, and the amendment was not adopted by the following vote: Yeas - 37, Nays - 60, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Barlow, Buri, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Ericksen, Hailey, Haler, Hinkle, Hunt, Hurst, Jarrett, Kretz, Kristiansen, McCune, McDonald, Miloscia, Newhouse, Orcutt, Pearson, Priest, Roach, Rodne, Ross, Schindler, Skinner, Strow, Sump and Warnick - 37.

Voting nay: Representatives Appleton, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hankins, Hasegawa, Hudgins, Hunter, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McIntire, Moeller, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Quall, Roberts, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 60.

Excused: Representative Eickmeyer - 1.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on amendment (734) to ENGROSSED SUBSTITUTE SENATE BILL NO. 5297.
TROY KELLEY, 28th District

STATEMENT FOR THE JOURNAL

I intended to vote NAY on amendment (734) to ENGROSSED SUBSTITUTE SENATE BILL NO. 5297.
SAM HUNT, 22nd District

Representative Warnick moved the adoption of amendment (709):

On page 2, line 25, after "act" strike ", "medically" and insert the following:

":
(a) "Medically"

On page 2, line 33, after "prevention" insert the following:
"; and

(b) "Abstinence" means abstaining from sexual activity until marriage. Any public school that offers sexual health education must ensure that this definition of abstinence is used consistently throughout the sexual health education program"

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

Representative Dickerson spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Hinkle moved the adoption of amendment (704):

On page 2, beginning on line 26, after "by" strike all material through "health" on line 32 and insert "statistically significant research in compliance with scientific methods, and is recognized as accurate and objective by medical textbooks, the American college of obstetricians and gynecologists"

Representatives Hinkle, Schindler, McCune and Orcutt spoke in favor of the adoption of the amendment.

Representative McDermott spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Anderson moved the adoption of amendment (738):

On page 3, line 12, after "health." insert "Before a list is made available on either web site, the initial list and any updated list must be approved by the state board of education."

Representatives Anderson, Hinkle, Ericksen and Dunn spoke in favor of the adoption of the amendment.

Representative Darneille spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Schindler moved the adoption of amendment (715):

On page 3, beginning on line 4, strike all of subsection (4) and insert the following:

"(4) The superintendent of public instruction and the department of health shall jointly develop a list of sexual health education curricula that are consistent with the 2005 guidelines for sexual health information and disease prevention. The list must be developed in public meetings, with an opportunity for public comment. This list is intended to serve as a resource for schools, teachers, or any other organization or community group. This list must be reviewed and updated no less frequently than annually in public meetings with an opportunity for public comment. The list must be made available on the web sites of the office of the superintendent of public instruction and the department of health."

Representatives Schindler and Ericksen spoke in favor of the adoption of the amendment.

Representative Morrell spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Anderson moved the adoption of amendment (737):

On page 3, line 13, after (5), insert "(a)"

On page 3, after line 18, insert the following:

"(b) Subject to funds appropriated for this purpose and to requirements established under this subsection, school districts with public schools offering sexual health education on the effective date of this section that incur additional cost to purchase curricula or pay

for additional preparation and/or instruction time to comply with this section shall be reimbursed by the office of the superintendent of public instruction for the cost of purchasing the curricula or paying for additional preparation and/or instruction time. The superintendent of public instruction shall establish reasonable application requirements for school districts applying for these reimbursement funds."

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

Representative Hunt spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Ross moved the adoption of amendment (707):

On page 3, line 18, after "section." insert "Public schools that offer sexual health education must have at least two sexual health education parent nights annually, at which time parents may view any and all curricula and any written, video, or audio materials that will be used in the sexual health education."

Representatives Ross, Buri, Ericksen, Ross (again) and Hailey spoke in favor of the adoption of the amendment.

Representative Schual-Berke spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker divided the House. The result was 39 - YEAS; 58 -NAYS.

The amendment was not adopted.

Representative Anderson moved the adoption of amendment (723):

On page 3, line 18, after "section." insert "A public school offering sexual health education that has a web site must make the curriculum offered at its school available on its web site."

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

Representative Schual-Berke spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Strow moved the adoption of amendment (703):

On page 3, line 19, after "(6)" insert the following:

"If any public school within a school district offers sexual health education, the school board must, during a school board meeting at least once annually, include an update and opportunity for public input regarding the sexual health education. At a minimum, the school board must be presented with information that includes the number of schools that are providing sexual health education, the grade levels in which the instruction is offered, and the curricula being used by the schools. Any curricula used must also be available at the school board meeting for public review.

(7)"

Renumber the subsections consecutively and correct any internal references accordingly.

Representatives Hinkle and Ericksen spoke in favor of the adoption of the amendment.

Representative Hunt spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Roach moved the adoption of amendment (705):

On page 3, line 19, after "(6)" insert "(a)"

On page 3, after line 27, insert the following:

"(b) To facilitate the right of a parent or legal guardian to excuse his or her child from sexual health education instruction, a public school planning sexual health education instruction shall provide, at the beginning of the school year, a form that the parent or legal guardian may use to choose whether to excuse his or her child from the instruction or to approve his or her child's attendance at the instruction."

Representatives Roach, Skinner, McCune and Ross spoke in favor of the adoption of the amendment.

Representative Schual-Berke spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Warnick moved the adoption of amendment (731):

On page 3, line 20, after "from" strike "any" and insert "part of or the entire"

Representatives Warnick spoke in favor of the adoption of the amendment.

Representative Darneille spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Hinkle moved the adoption of amendment (702):

On page 3, line 23, after "designee." insert "The school must provide an alternative educational program or activity for students whose parent or legal guardian has chosen not to have his or her child participate in the sexual health education."

Representatives Hinkle and Ericksen spoke in favor of the adoption of the amendment.

Representative Hunt spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Dunn moved the adoption of amendment (711):

On page 3, line 23, after "designee." insert "If a parent or legal guardian has a religious objection to his or her child attending sexual health education instruction, the parent or legal guardian may have the child excused from such instruction by filing a written waiver with the child's school."

Representatives Dunn spoke in favor of the adoption of the amendment.

Representative Appleton spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Ross moved the adoption of amendment (706):

On page 3, line 25, strike "offered in his or her child's school" and insert ", including any written, video, or audio materials that will be used in teaching the curriculum,"

Representatives Ross and McCune spoke in favor of the adoption of the amendment.

Representative Schual-Berke spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Sump moved the adoption of amendment (708):

On page 3, beginning on line 19, strike all of subsection (6) and insert the following:

"(6)(a) Public schools that offer sexual health education must provide a separate written notice as described in (c) of this subsection to the parent or legal guardian of a student receiving the instruction no less than thirty days in advance of the instruction. The separate written notice is an advisory that sexual health education will be

provided to the child of the parent or legal guardian if the parent or legal guardian signs and returns the notice to the child's school.

(b) Any parent or legal guardian who chooses to have his or her child attend any planned instruction in sexual health education must sign and return the notice required in (a) of this subsection to the child's school.

(c) The notice required by this subsection must be titled "Sexual Health Education Notification." The title must be printed at the top of the page, in boldface and in no less than sixteen-point type. The notice shall include all the following information printed in no less than twelve-point type:

- (i) The date, time, and location of the instruction;
- (ii) The name of the teacher or administrator in charge of the instruction, and the name and affiliation of any presenters;
- (iii) The telephone number at which the teacher or administrator in charge may be reached during regular school hours;
- (iv) A reminder that parents and legal guardians may attend the class or assembly;
- (v) A reminder of the right of the parent or legal guardian to choose whether his or her child will attend instruction in sexual health education, and the alternative educational program or activity that will be available if the parent or legal guardian chooses to have his or her child not attend the instruction in sexual health education;
- (vi) Times and location in which the curriculum and any written, video, or audio materials used are available for review by the parent or legal guardian; and
- (vii) Instructions for signing and returning the notice required in (a) of this subsection to the school if a parent or legal guardian chooses to have his or her child attend sexual health education instruction."

Representatives Sump, Schindler, Hinkle, Buri, Skinner spoke in favor of the adoption of the amendment.

Representative Schual-Berke spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker stated the question before the House to be adoption of amendment (708) to Engrossed Substitute Senate Bill No. 5297.

ROLL CALL

The Clerk called the roll on the adoption of amendment (708) to Engrossed Substitute Senate Bill No. 5297, and the amendment was not adopted by the following vote: Yeas - 40, Nays - 57, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Barlow, Buri, Campbell, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Ericksen, Hailey, Haler, Hankins, Hinkle, Hurst, Kelley, Kretz, Kristiansen, McCune, McDonald, Miloscia, Newhouse, Orcutt, Pearson, Priest, Roach, Rodne, Ross, Schindler, Skinner, Strow, Sump, Wallace, Walsh and Warnick - 40.

Voting nay: Representatives Appleton, Blake, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Ericks, Flannigan, Fromhold, Goodman, Grant, Green,

Haigh, Hasegawa, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McIntire, Moeller, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Quall, Roberts, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Williams, Wood and Mr. Speaker - 57.

Excused: Representative Eickmeyer - 1.

Representative Strow moved the adoption of amendment (717):

On page 3, beginning on line 19, strike all of section (6) and insert the following:

"(6) Public schools that offer sexual health education shall, at least one month before beginning sexual health education instruction in any classroom, conduct at least one presentation during evening or weekend hours for the parents and legal guardians of the school's students concerning the curriculum and materials that will be used for such instruction. The school must give parents and legal guardians reasonable notification of the presentation, including notice that the curriculum and materials are available for inspection. Students may not be required to participate in any part of the sexual health education instruction if a student's parent or legal guardian objects to the student's participation, in writing, to the child's school principal or principal's designee."

Representatives Strow spoke in favor of the adoption of the amendment.

Representative McDermott spoke against the adoption of the amendment.

The amendment was not adopted.

Representative McDonald moved the adoption of amendment (712):

On page 3, beginning on line 19, strike all of subsection (6) and insert the following:

"(6)(a) Public schools that offer sexual health education must provide a separate written notice as described in (c) of this subsection to the parent or legal guardian of a student receiving the instruction no less than thirty days in advance of the instruction. The separate written notice is an advisory that sexual health education will be provided to the child of the parent or legal guardian.

(b) Any parent or legal guardian who chooses to have his or her child excused from any planned instruction in sexual health education may do so by notifying the child's school. In addition, any parent or legal guardian may review the sexual health education curriculum offered in his or her child's school by notifying the child's school.

(c) The notice required by this subsection must be titled "Sexual Health Education Notification." The title must be printed at the top of the page, in boldface and in no less than sixteen-point type. The notice shall include all the following information printed in no less than twelve-point type:

(i) The date, time, and location of the instruction;

(ii) The name of the teacher or administrator in charge of the instruction, and the name and affiliation of any presenters;

(iii) The telephone number at which the teacher or administrator in charge may be reached during regular school hours;

(iv) A reminder that parents and legal guardians may attend the class or assembly;

(v) A reminder of the right of the parent or legal guardian to have their child not participate in sexual health education, and the alternative educational program or activity that will be available if the parent or legal guardian chooses to have their child not participate in the sexual health education;

(vi) Times and location in which the curriculum and any written, video, or audio materials used are available for review by the parent or legal guardian; and

(vii) Instructions for notifying the school if a parent or legal guardian chooses to have their child not participate in sexual health education, or chooses to review the curriculum."

Representatives McDonald, Ericksen and Dunn spoke in favor of the adoption of the amendment.

Representative Schual-Berke spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Bailey moved the adoption of amendment (739):

On page 4, line 2, strike "healthy youth act" and insert "comprehensive sexual health education mandate"

Representatives Bailey spoke in favor of the adoption of the amendment.

Representative Schual-Berke spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Hinkle moved the adoption of amendment (699):

On page 4, beginning on line 1, strike all of section 3

Correct the title.

Representatives Hinkle, Ericksen and McCune spoke in favor of the adoption of the amendment.

Representative Rolfes spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Anderson moved the adoption of amendment (722):

On page 4, after line 2, insert the following:

"**NEW SECTION. Sec. 4.** This act takes effect beginning on the September 1 immediately following the enactment of a state statute that requires the mathematics curricula taught in public schools to be in compliance with guidelines established in state statute by the legislature."

Correct the title.

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

Representative McDermott spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Buri moved the adoption of amendment (735):

On page 2, line 8, after "(1)" insert "(a)"

On page 2, after line 24, insert the following:

"(b) A public school may not require a teacher to provide instruction in sexual health education as a condition of employment unless the teacher was initially hired after the effective date of this section to provide such instruction."

Representatives Buri, Ericksen, Schindler and Ahern spoke in favor of the adoption of the amendment.

Representatives Schual-Berke and Eddy spoke against the adoption of the amendment.

The amendment was not adopted.

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

Representatives Schual-Berke, Goodman, Rolfes, Flannigan and Darneille spoke in favor of passage of the bill.

Representatives Orcutt, McDonald, Miloscia, Ahern, Curtis, Armstrong, Sump, Chandler, Kretz, McCune, Dunn, Warnick, Kristiansen, Roach, Buri and Hinkle spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5297.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5297 and the bill passed the House by the following vote: Yeas - 63, Nays - 34, Absent - 0, Excused - 1.

Voting yea: Representatives Anderson, Appleton, Barlow, Blake, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McIntire, Moeller, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Quall, Roberts, Rodne, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 63.

Voting nay: Representatives Ahern, Alexander, Armstrong, Bailey, Buri, Campbell, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Ericksen, Hailey, Haler, Hinkle, Hurst, Kelley, Kretz, Kristiansen, McCune, McDonald, Miloscia, Newhouse, Orcutt, Pearson, Priest, Roach, Ross, Schindler, Skinner, Strow, Sump and Warnick - 34.

Excused: Representative Eickmeyer - 1.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5297, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5568, By Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Rasmussen, Clements, Shin, Schoesler, Jacobsen, Morton, Holmquist and Honeyford)

Extending the date when counties east of the crest of the Cascade mountains that pledged lodging tax revenue for payment of bonds prior to June 26, 1975, must allow a credit for city lodging taxes.

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 Skinner and Hunter 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. 5568.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5568 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy,

Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 97.

Excused: Representative Eickmeyer - 1.

SUBSTITUTE SENATE BILL NO. 5568, having received the necessary constitutional majority, was declared passed.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6117, By Senate Committee on Ways & Means (originally sponsored by Senators Fraser, Poulsen, Rockefeller, Marr, Kohl-Welles and Kline)

Regarding reclaimed water.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Appropriations was before the House for purpose of amendment. (For Committee amendment, see Journal, 85th Day, April 2, 2007.)

Representative McCoy moved the adoption of amendment (547) to the committee amendment:

On page 6, after line 29 of the amendment, insert the following: "(4) The provisions of any plan for reclaimed water, developed under the authorities in subsections (2) and (3) of this section, should be included by a city, town, or county in reviewing provisions for water supplies in a proposed short plat, short subdivision, or subdivision under chapter 58.17 RCW, where reclaimed water supplies may be proposed for nonpotable purposes in the short plat, short subdivision, or subdivision."

On page 7, at the beginning of line 1 of the amendment, strike "receives" and insert "is provided"

On page 13, line 1 of the amendment, after "water" strike "should be employed" and insert "shall be encouraged"

On page 16, beginning on line 32 of the amendment, strike all of section 12

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

Representatives Kretz and Strow spoke against the adoption of the amendment to the committee amendment

Division was demanded and the demand was sustained. The Speaker (Representative Lovick presiding) divided the House. The result was 59 - YEAS; 38 -NAYS.

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

Representatives Kretz and Newhouse spoke against the 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. 6117, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6117, as amended by the House and the bill passed the House by the following vote: Yeas - 65, Nays - 32, Absent - 0, Excused - 1.

Voting yea: Representatives Appleton, Barlow, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, O'Brien, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roberts, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 65.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Buri, Chandler, Condotta, Crouse, Curtis, DeBolt, Dunn, Ericksen, Hailey, Haler, Hankins, Kretz, Kristiansen, McCune, McDonald, Newhouse, Orcutt, Pearson, Roach, Rodne, Ross, Schindler, Skinner, Strow, Sullivan, B., Sump and Warnick - 32.

Excused: Representative Eickmeyer - 1.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6117, 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 Committee on Rules was relieved of the following bills under a Leadership Pull and the bills were placed on the Second Reading calendar:

HOUSE BILL NO. 2395,
HOUSE BILL NO. 2396,
SUBSTITUTE SENATE BILL NO. 5193,
SUBSTITUTE SENATE BILL NO. 5435,
ENGROSSED SENATE BILL NO. 6128,
SENATE CONCURRENT RESOLUTION NO. 8404,

There being no objection, the House adjourned until 10:00 a.m., April 12, 2007, the 95th Day of the Regular Session.

FRANK CHOPP, Speaker

RICHARD NAFZIGER, Chief Clerk

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