

FIFTY NINTH LEGISLATURE - REGULAR SESSION

TWENTY SECOND DAY

House Chamber, Olympia, Monday, January 30, 2006

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 Devon Hulteen and Kameron Payne. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. Prayer was offered by Imam Benjamin Shabazz, Al Islam Center, Seattle.

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

RESOLUTION

HOUSE RESOLUTION NO. 2006-4684, By Representatives Appleton and Springer

WHEREAS, On September 11, 2001, the United States of America was attacked by terrorists, resulting in the tragic loss of and injury to thousands of Americans; and

WHEREAS, The arts industry has played a substantial role in helping to bring about healing for numerous individuals and families as they reflect upon the tragedy of the terrorist attacks; and

WHEREAS, Glassblowing artist Renee Pound and fellow artists Lenoard Whitfield, Ken Christensen, Natalie Zundel, and Jon Harvey of the Seattle-based Art by Fire Gallery established the 9-11 Sea Float Project as an annual event uniting artists, the community, and media in remembrance of the victims of the September 11th attacks; and

WHEREAS, The artists of the Art by Fire Gallery create nine hundred eleven individually blown glass sea floats inscribed with the words "Never Forget 9-11," and scatter the floats in a park in Puget Sound; and

WHEREAS, The 9-11 Sea Float Project invites Puget Sound residents on September 11th to search for and collect the commemorative floats as a tribute to the victims of the terrorist attack; and

WHEREAS, The 9-11 Sea Float Project is a unique, all-volunteer effort that brings together strangers in the community to reflect on the events of September 11th;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor the artistry and grace of the 9-11 Sea Float Project and the artists of the Art by Fire Gallery for their creative and continuing contribution to

the Puget Sound community's remembrance of the events of September 11, 2001; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Renee Pound and the artists of the Art by Fire Gallery.

Representative Appleton moved the adoption of the resolution.

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

HOUSE RESOLUTION NO. 4684 was adopted.

INTRODUCTION & FIRST READING

HB 3251 by Representatives Santos and Pettigrew

AN ACT Relating to the special stadium sales and use tax imposed on food and beverages; amending RCW 82.14.360; and providing an effective date.

Referred to Committee on Finance.

HB 3252 by Representatives O'Brien, Rodne, Santos, Strow, Green, Simpson, McDonald, Morrell, Ericks, Kilmer, Williams and Hasegawa

AN ACT Relating to prohibiting offenders who enter Alford pleas from receiving a special sex offender sentencing alternative; reenacting and amending RCW 9.94A.670; and prescribing penalties.

Referred to Committee on Criminal Justice & Corrections.

HB 3253 by Representatives Simpson, Dunn, Kilmer and Williams

AN ACT Relating to requiring house of representatives and senate confirmation for members of the growth management hearings boards; and amending RCW 36.70A.260.

Referred to Committee on Local Government.

HB 3254 by Representatives McDermott, Appleton and Hasegawa

AN ACT Relating to civil causes of action against the state of Washington for persons wrongfully convicted and imprisoned; adding a new section to chapter 41.05 RCW; and adding a new chapter to Title 4 RCW.

Referred to Committee on Judiciary.

HB 3255 by Representatives McDermott, Cody, Kenney, Grant and Chase

AN ACT Relating to liquor licenses issued to entities providing concession services on vessels owned by the Washington state ferries; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Transportation.

HB 3256 by Representatives Upthegrove, B. Sullivan, Wood, Takko, Simpson, Murray, Flannigan, Hudgins and Chase

AN ACT Relating to internet vehicle sales; amending RCW 46.96.185; adding a new section to chapter 46.70 RCW; and creating a new section.

Referred to Committee on Commerce & Labor.

HB 3257 by Representatives McCune, Clements, Kristiansen, Roach, Haler, Jarrett, McDonald and Campbell

AN ACT Relating to state capital funding assistance for fire districts; amending RCW 43.155.020; and providing an effective date.

Referred to Committee on Capital Budget.

HB 3258 by Representatives Morris, Simpson, Wallace and Chase

AN ACT Relating to mileage fees for diesel; and amending RCW 46.16.125.

Referred to Committee on Transportation.

HB 3259 by Representatives Murray and Ericks

AN ACT Relating to state environmental policy for significant transportation projects; amending RCW 43.21C.030; and adding a new section to chapter 43.21C RCW.

Referred to Committee on Transportation.

HB 3260 by Representative Moeller

AN ACT Relating to boundary review board disbandings; amending RCW 36.93.230; creating a new section; and declaring an emergency.

Referred to Committee on Local Government.

HB 3261 by Representatives O'Brien, Rodne, Dickerson, Clements, Haigh, Simpson, Pearson, McDonald, Ericks, Kilmer and Williams

AN ACT Relating to strengthening the review process by the indeterminate sentence review board by adding two members to the board and allowing victims to provide input at board hearings involving offenders sentenced under RCW 9.94A.712; amending RCW 9.95.003 and 9.95.420; and declaring an emergency.

Referred to Committee on Criminal Justice & Corrections.

HB 3262 by Representatives Springer, Clibborn and Ericks

AN ACT Relating to annexation capital facilities districts; amending RCW 84.52.043; adding a new chapter to Title 35 RCW; and providing a contingent effective date.

Referred to Committee on Local Government.

HB 3263 by Representatives Springer and Ericks

AN ACT Relating to the use of real estate excise taxes to offset costs of annexation; amending RCW 82.46.010; adding a new section to chapter 82.46 RCW; creating a new section; and providing a contingent effective date.

Referred to Committee on Local Government.

HB 3264 by Representatives Springer, Rodne, Strow, Ericks, Buri, Jarrett, Hunter, Dunn and Morrell

AN ACT Relating to eminent domain; amending RCW 8.25.010 and 8.25.020; and creating a new section.

Referred to Committee on Judiciary.

HB 3265 by Representative Roach

AN ACT Relating to nonduplication of benefits payable under underinsured motorist coverage; and amending RCW 48.22.030.

Referred to Committee on Financial Institutions & Insurance.

HB 3266 by Representatives Rodne, Simpson, Anderson and Hudgins

AN ACT Relating to designating state route number 169 as a highway of statewide significance; and adding a new section to chapter 47.05 RCW.

Referred to Committee on Transportation.

HB 3267 by Representatives Condotta, Armstrong, Dunn, Morrell and McCune

AN ACT Relating to purple heart special license plates; amending RCW 46.16.237 and 46.16.270; and reenacting and amending RCW 46.16.305.

Referred to Committee on Transportation.

HB 3268 by Representatives Blake and Buck

AN ACT Relating to unlawfully hunting while upon the property of another; amending RCW 77.15.420; adding a new section to chapter 77.15 RCW; and prescribing penalties.

Referred to Committee on Natural Resources, Ecology & Parks.

HB 3269 by Representatives Grant, Kessler, Buck, Kretz, Newhouse, B. Sullivan and Dunn

AN ACT Relating to allowing designated smoking rooms in public places; and amending RCW 70.160.020, 70.160.030, and 70.160.075.

Referred to Committee on Health Care.

HB 3270 by Representatives Woods, Kilmer, Jarrett, Morris, Skinner, Hankins and Haigh

AN ACT Relating to passenger ferry service funding; amending RCW 47.60.645; adding new sections to chapter 47.60 RCW; and adding a new section to chapter 47.66 RCW.

Referred to Committee on Transportation.

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

REPORTS OF STANDING COMMITTEES

January 25, 2006

ESHB 1029 Prime Sponsor, House Committee On Transportation: Regulating ATVs. Reported by Committee on Transportation

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Murray, Chairman;

Wallace, Vice Chairman; Appleton; Clibborn; Dickerson; Flannigan; Hankins; Hudgins; Lovick; Morris; Rodne; Simpson; B. Sullivan; Takko; Upthegrove and Wood.

MINORITY recommendation: Signed by Representatives Skinner, Assistant Ranking Minority Member; Buck; Campbell; Curtis; Ericksen; Holmquist; Jarrett; Kilmer; Nixon; Schindler and Shabro.

Passed to Committee on Rules for second reading.

January 25, 2006

HB 2217 Prime Sponsor, Representative Simpson: Changing provisions relating to growth management. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Simpson, Chairman; Ahern, Assistant Ranking Minority Member; B. Sullivan; Takko and Woods.

MINORITY recommendation: Signed by Representatives Clibborn, Vice Chairman; Schindler, Ranking Minority Member;

Referred to Committee on Appropriations.

January 25, 2006

HB 2340 Prime Sponsor, Representative Kirby: Regulating mortgage brokers and loan originators. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairman; Fromhold, Vice Chairman; Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Armstrong; Bailey; Buri; Chandler; Clements; Cody; Conway; Darneille; Dunshee; Grant; Haigh; Hinkle; Hunter; Kagi; Kenney; Kessler; McDermott; McDonald; McIntire; Miloscia; Pearson; Priest; Schual-Berke; P. Sullivan; Talcott and Walsh.

Passed to Committee on Rules for second reading.

January 25, 2006

HB 2344 Prime Sponsor, Representative Kessler: Authorizing three superior court judges in Clallam county. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass substitute bill proposed by the Committee on Judiciary. Signed by Representatives Sommers, Chairman; Fromhold, Vice

Chairman; Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Armstrong; Bailey; Buri; Chandler; Clements; Cody; Conway; Darneille; Dunshee; Grant; Haigh; Hunter; Kagi; Kenney; Kessler; Linville; McDermott; McDonald; McIntire; Miloscia; Pearson; Priest; Schual-Berke; P. Sullivan; Talcott and Walsh.

MINORITY recommendation: Signed by Representatives Anderson, Assistant Ranking Minority Member; Hinkle.

Passed to Committee on Rules for second reading.

January 25, 2006

HB 2384 Prime Sponsor, Representative Dickerson: Concerning the state geological survey. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass substitute bill proposed by the Committee on Natural Resources, Ecology & Parks. Signed by Representatives Sommers, Chairman; Fromhold, Vice Chairman; Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Armstrong; Bailey; Buri; Chandler; Clements; Cody; Conway; Darneille; Dunshee; Grant; Haigh; Hinkle; Hunter; Kagi; Kenney; Kessler; McDermott; McDonald; McIntire; Miloscia; Pearson; Priest; Schual-Berke; P. Sullivan; Talcott and Walsh.

Passed to Committee on Rules for second reading.

January 25, 2006

HB 2420 Prime Sponsor, Representative Kessler: Outlining the duties of the lieutenant governor. Reported by Committee on State Government Operations & Accountability

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haigh, Chairman; Green, Vice Chairman; Nixon, Ranking Minority Member; Clements, Assistant Ranking Minority Member; Hunt; McDermott; Miloscia; Schindler and Sump.

Passed to Committee on Rules for second reading.

January 24, 2006

HB 2422 Prime Sponsor, Representative B. Sullivan: Providing funding for state and local parks. Reported by Committee on Natural Resources, Ecology & Parks

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives B. Sullivan, Chairman; Upthegrove, Vice Chairman; Buck, Ranking Minority Member; Kretz,

Assistant Ranking Minority Member; Blake; Dickerson; Eickmeyer; Hunt and Kagi.

MINORITY recommendation: Signed by Representatives Chandler and Orcutt.

Referred to Committee on Appropriations.

January 25, 2006

HB 2446 Prime Sponsor, Representative Buri: Permitting certain school district substitute employee contracts. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Simpson, Chairman; Clibborn, Vice Chairman; Schindler, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; B. Sullivan; Takko and Woods.

Passed to Committee on Rules for second reading.

January 26, 2006

HB 2453 Prime Sponsor, Representative Williams: Making the Washington essential property insurance inspection and placement program apply to all counties. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chairman; Ericks, Vice Chairman; Roach, Ranking Minority Member; Tom, Assistant Ranking Minority Member; Newhouse; O'Brien; Santos; Serben; Simpson; Strow and Williams.

Passed to Committee on Rules for second reading.

January 26, 2006

HB 2481 Prime Sponsor, Representative Williams: Insuring victims of crimes. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chairman; Ericks, Vice Chairman; Roach, Ranking Minority Member; Tom, Assistant Ranking Minority Member; O'Brien; Santos; Serben; Simpson; Strow and Williams.

MINORITY recommendation: Do not pass substitute. Signed by Representatives Newhouse.

Passed to Committee on Rules for second reading.

January 26, 2006

HB 2497 Prime Sponsor, Representative Kilmer: Authorizing a suspension of business loan payments and interest accrual for active duty national guard members. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chairman; Ericks, Vice Chairman; Roach, Ranking Minority Member; Tom, Assistant Ranking Minority Member; Newhouse; O'Brien; Santos; Serben; Simpson; Strow and Williams.

Passed to Committee on Rules for second reading.

January 25, 2006

HB 2603 Prime Sponsor, Representative Roberts: Requiring a diversion record to be sealed upon the successful completion of the diversion or counsel and release. Reported by Committee on Juvenile Justice & Family Law

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dickerson, Chairman; Moeller, Vice Chairman; McDonald, Ranking Minority Member; McCune, Assistant Ranking Minority Member; Crouse; Lovick and Roberts.

Passed to Committee on Rules for second reading.

January 26, 2006

HB 2625 Prime Sponsor, Representative Jarrett: Funding mountains to Sound greenway outdoor recreation projects. Reported by Committee on Natural Resources, Ecology & Parks

MAJORITY recommendation: Do pass. Signed by Representatives B. Sullivan, Chairman; Upthegrove, Vice Chairman; Dickerson; Eickmeyer; Hunt and Kagi.

MINORITY recommendation: Signed by Representatives Buck, Ranking Minority Member; Kretz, Assistant Ranking Minority Member; Blake; Chandler and Orcutt.

Referred to Committee on Appropriations.

January 25, 2006

HB 2643 Prime Sponsor, Representative Clements: Allowing vehicles with aftermarket hydraulic systems to operate on public roadways. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Murray, Chairman; Wallace, Vice Chairman; Woods, Ranking Minority Member; Skinner,

Assistant Ranking Minority Member; Appleton; Buck; Campbell; Clibborn; Curtis; Dickerson; Ericksen; Flannigan; Hankins; Holmquist; Hudgins; Jarrett; Kilmer; Lovick; Nixon; Rodne; Schindler; Shabro; Simpson; B. Sullivan; Takko; Upthegrove and Wood.

Passed to Committee on Rules for second reading.

January 26, 2006

HB 2649 Prime Sponsor, Representative Miloscia: Creating an affordable housing for all program. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Miloscia, Chairman; Springer, Vice Chairman; Ormsby; Pettigrew and Sells.

MINORITY recommendation: Signed by Representatives Holmquist, Ranking Minority Member; Dunn, Assistant Ranking Minority Member; McCune and Schindler.

Referred to Committee on Appropriations.

January 26, 2006

HB 2650 Prime Sponsor, Representative Miloscia: Creating programs to end homelessness. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Miloscia, Chairman; Springer, Vice Chairman; Ormsby; Pettigrew and Sells.

MINORITY recommendation: Signed by Representatives Holmquist, Ranking Minority Member; Dunn, Assistant Ranking Minority Member; McCune and Schindler.

Referred to Committee on Appropriations.

January 24, 2006

HB 2689 Prime Sponsor, Representative Bailey: Addressing the public employment of retirees from the teachers' retirement system plan 1 and the public employees' retirement system plan 1. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sommers, Chairman; Fromhold, Vice Chairman; Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Armstrong; Bailey; Buri; Chandler; Clements; Cody; Conway; Darneille; Dunshee; Haight; Hinkle; Hunter; Kagi; Kenney; Kessler; Linville; McDermott; McDonald;

McIntire; Miloscia; Pearson; Schual-Berke; P. Sullivan; Talcott and Walsh.

Passed to Committee on Rules for second reading.

January 24, 2006

HB 2691 Prime Sponsor, Representative Crouse: Creating optional public retirement benefits for justices and judges. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sommers, Chairman; Fromhold, Vice Chairman; Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Armstrong; Bailey; Buri; Chandler; Clements; Cody; Conway; Darneille; Dunshee; Haigh; Hinkle; Hunter; Kagi; Kenney; Kessler; Linville; McDermott; McDonald; McIntire; Miloscia; Pearson; Schual-Berke; P. Sullivan; Talcott and Walsh.

Passed to Committee on Rules for second reading.

January 25, 2006

HB 2693 Prime Sponsor, Representative Buri: Exempting out-of-state persons from having to obtain commercial driver's licenses. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Murray, Chairman; Wallace, Vice Chairman; Woods, Ranking Minority Member; Skinner, Assistant Ranking Minority Member; Appleton; Buck; Campbell; Clibborn; Curtis; Dickerson; Ericksen; Flannigan; Hankins; Holmquist; Hudgins; Jarrett; Kilmer; Lovick; Morris; Nixon; Rodne; Schindler; Shabro; Simpson; B. Sullivan; Takko; Upthegrove and Wood.

Passed to Committee on Rules for second reading.

January 24, 2006

HB 2715 Prime Sponsor, Representative Ericks: Regarding the state interoperability executive committee. Reported by Committee on Technology, Energy & Communications

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chairman; Kilmer, Vice Chairman; Crouse, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Ericks; Hankins; Hudgins; Nixon; P. Sullivan; Sump; Takko and Wallace.

Passed to Committee on Rules for second reading.

January 26, 2006

HB 2776 Prime Sponsor, Representative Dickerson: Regulating home heating fuel service contracts. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chairman; Ericks, Vice Chairman; Roach, Ranking Minority Member; Tom, Assistant Ranking Minority Member; Newhouse; O'Brien; Santos; Serben; Simpson; Strow and Williams.

Passed to Committee on Rules for second reading.

January 26, 2006

HB 2863 Prime Sponsor, Representative Kirby: Requiring lenders to consider retail installment contracts for the purchase of motor vehicles. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kirby, Chairman; Ericks, Vice Chairman; Roach, Ranking Minority Member; Tom, Assistant Ranking Minority Member; Newhouse; O'Brien; Santos; Serben; Simpson; Strow and Williams.

Passed to Committee on Rules for second reading.

January 26, 2006

HB 2867 Prime Sponsor, Representative Kenney: Regarding expansion of WSU Tri-Cities into a four-year institution. Reported by Committee on Higher Education & Workforce Education

MAJORITY recommendation: Do pass. Signed by Representatives Kenney, Chairman; Sells, Vice Chairman; Cox, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Dunn; Fromhold; Hasegawa; Jarrett; Ormsby; Priest; Roberts and Sommers.

Referred to Committee on Appropriations.

January 25, 2006

HB 2874 Prime Sponsor, Representative Murray: Modifying transportation project design-build provisions. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Murray, Chairman; Wallace, Vice Chairman; Woods, Ranking Minority Member; Skinner, Assistant Ranking Minority Member; Appleton; Buck; Campbell; Clibborn; Curtis; Dickerson; Ericksen; Flannigan; Hankins; Holmquist; Hudgins; Jarrett; Kilmer;

Lovick; Morris; Nixon; Rodne; Schindler; Shabro; Simpson; B. Sullivan; Takko; Upthegrove and Wood.

HB 2964 Prime Sponsor, Representative Kagi: Creating the department of early learning. Reported by Committee on Children & Family Services

Passed to Committee on Rules for second reading.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kagi, Chairman; Roberts, Vice Chairman; Walsh, Ranking Minority Member; Darneille; Dickerson; Haler and Pettigrew.

January 25, 2006
HB 2889 Prime Sponsor, Representative Woods: Creating the freight mobility multimodal account. Reported by Committee on Transportation

MINORITY recommendation: Signed by Representatives Hinkle, Assistant Ranking Minority Member; Dunn.

MAJORITY recommendation: Do pass. Signed by Representatives Murray, Chairman; Wallace, Vice Chairman; Woods, Ranking Minority Member; Skinner, Assistant Ranking Minority Member; Appleton; Buck; Campbell; Clibborn; Curtis; Dickerson; Ericksen; Flannigan; Hankins; Holmquist; Hudgins; Jarrett; Kilmer; Lovick; Morris; Nixon; Rodne; Schindler; Shabro; Simpson; B. Sullivan; Takko; Upthegrove and Wood.

Referred to Committee on Appropriations.

Passed to Committee on Rules for second reading.

January 26, 2006
HB 2975 Prime Sponsor, Representative Newhouse: Granting an exemption under the state securities act. Reported by Committee on Financial Institutions & Insurance

January 26, 2006
HB 2908 Prime Sponsor, Representative Bailey: Modifying the boundary provision for Island county. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chairman; Ericks, Vice Chairman; Roach, Ranking Minority Member; Tom, Assistant Ranking Minority Member; Newhouse; O'Brien; Santos; Serben; Simpson; Strow and Williams.

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Simpson, Chairman; Clibborn, Vice Chairman; Schindler, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; B. Sullivan; Takko and Woods.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

January 25, 2006
HB 2993 Prime Sponsor, Representative Moeller: Modifying provisions concerning at-risk youth proceedings. Reported by Committee on Juvenile Justice & Family Law

January 26, 2006
HB 2932 Prime Sponsor, Representative Darneille: Establishing a catastrophic disability allowance under the law enforcement officers' and fire fighters' retirement system, plan 2. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dickerson, Chairman; Moeller, Vice Chairman; McDonald, Ranking Minority Member; McCune, Assistant Ranking Minority Member; Crouse; Lovick and Roberts.

Referred to Committee on Appropriations.

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairman; Fromhold, Vice Chairman; Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Bailey; Buri; Chandler; Cody; Conway; Darneille; Dunshee; Grant; Haigh; Hinkle; Hunter; Kagi; Kenney; Kessler; Linville; McDermott; McDonald; McIntire; Miloscia; Pearson; Priest; Schual-Berke; P. Sullivan; Talcott and Walsh.

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

SECOND READING

HOUSE BILL NO. 2567, By Representatives Wallace, Ericks, Morrell, Kilmer, Lovick, Campbell, Green, Lantz, Springer and Moeller

Passed to Committee on Rules for second reading.

Providing provisions for methamphetamine precursors.

January 25, 2006

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 Curtis spoke in favor of passage of the bill.

MOTIONS

On motion of Representative Curtis, Representative Hinkle was excused. On motion of Representative Santos, Representatives Cody and Schual-Berke were excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2567.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2567 and the bill passed the House by the following vote: Yeas - 92, Nays - 3, Absent - 0, Excused - 3.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, 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, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 92.

Voting nay: Representatives Anderson, Flannigan and Nixon - 3.

Excused: Representatives Cody, Hinkle and Schual-Berke - 3.

HOUSE BILL NO. 2567, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2419, By Representatives Haigh, Nixon, Clibborn and McDermott; by request of Lieutenant Governor

Raising funds for hosting a national conference of statewide elected officials.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2419 was substituted for House Bill No. 2419 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2419 was read the second time.

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

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2419.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2419 and the bill passed the House by the following vote: Yeas - 93, Nays - 2, Absent - 0, Excused - 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, 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, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Wood, Woods and Mr. Speaker - 93.

Voting nay: Representatives Flannigan and Williams - 2.

Excused: Representatives Cody, Hinkle and Schual-Berke - 3.

SUBSTITUTE HOUSE BILL NO. 2419, having received the necessary constitutional majority, was declared passed.

HOUSE CONCURRENT RESOLUTION NO. 4417, By Representatives Kessler, Armstrong, Morrell, Springer, Pearson, Sells, Green, Kilmer, Kristiansen, Ericks and Hankins

Honoring the recipients of the State Medal of Valor in Joint Session.

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 Kessler and DeBolt 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. 4417.

HOUSE CONCURRENT RESOLUTION NO. 4417 was adopted.

HOUSE BILL NO. 2393, By Representatives Dunshee, Jarrett, Ormsby, Cox, Ericks, Newhouse, Kilmer, Chase, McCoy, Morrell, Moeller, Conway, P. Sullivan, Walsh, Springer, Buri, Haler, Wallace, Grant, Dickerson, Morris, B. Sullivan, Simpson, Upthegrove, Sells and Green

Funding energy freedom projects.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2393 was substituted for House Bill No. 2393 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2393 was read the second time.

Representative Dunshee moved the adoption of amendment (666):

Strike everything after the enacting clause and insert the following:

The legislature finds that:

- (1) Relying on foreign oil hurts our state's economy, citizens, and businesses;
- (2) Experts tell us that the global oil shortage will only worsen, making the three dollars per gallon gasoline of summer 2005 seem affordable;
- (3) Instead of leaving our economy at the mercy of global events, and the policies of foreign nations, Washington state should adopt a policy of energy independence;
- (4) Each year, citizens and businesses in Washington state spend nine billion dollars on gasoline and diesel, with those funds drained from the state economy;
- (5) The energy freedom program is meant to lead Washington state toward energy independence;
- (6) The biofuels industry is a new and developing industry now limited by the availability of capital for construction of facilities for converting farm products into energy and fuels; and
- (7) For biofuels to be economically viable in Washington, it will be necessary to grow dedicated crops, construct crushers near Washington farms, and build refineries to create fuel.

Therefore, it is the intent of the legislature to reduce Washington's dependence on imported oil, expand renewable fuel production and use in Washington, help citizens and business conserve energy, and promote sustainable rural economic development by creating new jobs and stimulating business and economic activity in local communities across Washington.

To accomplish this, the energy freedom program is established to stimulate strategic investment in facilities, infrastructure, and technologies that will advance Washington's move toward energy independence.

FOR THE DEPARTMENT OF COMMUNITY, TRADE, AND ECONOMIC DEVELOPMENT

Energy Freedom Program (06-2-852)

The appropriation in this section is subject to the following conditions and limitations:

(1)(a) The appropriation is provided solely for low-interest loans to political subdivisions for renewable energy projects including the development of biofuel oilseed crushers, supporting infrastructure, and facilities. The political subdivision may negotiate an appropriate agreement with the bioenergy industry for the use of the oilseed crushers, supporting infrastructure, and facilities.

(b) For purposes of this section, political subdivision means any port district, county, city, town, special purpose district, and any other municipal corporations or quasi-municipal corporations in the state.

(2) The appropriation is provided solely for the following list of projects:

Project	Recommendation
Spokane conservation district	\$2,750,000
Odessa public development authority	\$2,750,000
Port of Columbia county	\$2,750,000
Port of Sunnyside	\$750,000
Total	\$9,000,000

(3) All agreements negotiated between the political subdivision and the bioenergy industry for use of the oilseed crushers, supporting infrastructure, or facilities funded in this section must provide for at least a fifty percent match by the industry partner. The industry match may include, but is not limited to, investments in rail, buildings, refining capacity, or seed stock.

(4) All other project funds must be disbursed prior to energy freedom loans, except where required on a matching basis by other federal or state programs.

(5) The department shall disburse loans to the political subdivision on a reimbursement basis only.

(6) The department may defer loan repayment for up to twenty-four months or until the projects start to receive revenue from operations, whichever is sooner.

(7) Upon written notice to the political subdivision, the department may suspend or cancel its loans if any of the following occur:

(a) The political subdivision fails to make satisfactory and reasonable progress to complete the project, or the department concludes the political subdivision will be unable to complete the project or any portion of it; or

(b) The political subdivision or bioenergy industry partners have made misrepresentations in any information furnished to the department or the legislature in connection with the project.

(8) In the event that any portion of the loan has been paid to the political subdivision under this section at the time of breach, or failure of the political subdivision to satisfactorily perform, the department may require that the full amount of the loan, or a portion thereof, be repaid within a period specified by the department.

(9) Future loan repayments shall be deposited into the energy freedom account created in section 3 of this act.

(10) Chapter 39.12 RCW applies to the renewable energy projects funded in whole or in part by the appropriation in this section.

(11) It is the intent of the legislature to provide loans for the development of a Washington state biodiesel industry based on Washington grown oilseed. The legislature is aware that in the development of this industry, the start-up process may necessitate the use of other oilseeds until Washington state growers plant sufficient crops to support this industry. The legislature also understands the realities of weather and market conditions in this process. The conversion to maximum Washington grown oilseed must be accomplished as quickly as possible. The political subdivision shall: (a) Develop a plan for outreach to local growers and an estimate of when maximum Washington state oilseed-based production will be reached; (b) develop a goal for the political subdivision to return a portion of the biofuel to local oilseed producers; and (c) report this information to the department of community, trade, and economic development by December 1, 2006. The department shall report on the implementation of this section by January 1, 2007, to the appropriate committees of the legislature.

Appropriation:

State Taxable Building Construction Account	
--State	\$9,000,000
Prior Biennia (Expenditures)	\$0
Future Biennia (Projected Costs)	\$0
TOTAL	\$9,000,000

The energy freedom account is created in the state treasury. All receipts from appropriations made to the account, proceeds from other lawful sources, and loan payments of principal and interest derived from loans made under section 2 of this act must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used only for loans and grants to political subdivisions for renewable energy and biofuel development projects and activities.

This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

With the consent of the House, amendment (677) was withdrawn.

Representative Ericksen moved the adoption of amendment (680) to amendment (666):

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

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

Representatives Ericksen, Sump, Orcutt and Serben spoke in favor of the adoption of the amendment to the amendment.

Representatives Dunshee, Morris spoke against the adoption of the amendment to the amendment.

The amendment to the amendment was not adopted.

Representative Ericksen moved the adoption of amendment (679) to amendment (666):

On page 2, line 23, strike "\$2,750,000" and insert "\$2,000,000"

On page 2, line 24, strike "\$2,750,000" and insert "\$2,000,000"

On page 2, line 25, strike "\$2,750,000" and insert "\$2,000,000"

On page 2, after line 26, insert the following:

"Mobile oilseed crusher to be located west of the Cascade mountains \$2,250,000"

Representatives Ericksen and Orcutt spoke in favor of the adoption of the amendment to the amendment.

Representatives Dunshee and Sump spoke against the adoption of the amendment to the amendment.

The amendment to the amendment was not adopted.

Representative Chandler moved the adoption of amendment (681) to amendment (666):

On page 3, beginning on line 25, strike all of subsection (10)

Renumber the remaining subsection consecutively.

Representatives Chandler, Armstrong and Sump spoke in favor of the adoption of the amendment to the amendment.

Representatives Dunshee spoke against the adoption of the amendment to the amendment

The amendment to the amendment was not adopted.

Representative McIntire moved the adoption of amendment (678) to amendment (666):

On page 3, after line 26, insert the following:

"(11) Political subdivisions and bioenergy industry partners are prohibited from using genetically modified oilseed in facilities funded in whole or in part by the appropriation in this section. For purposes of this subsection, "genetically modified oilseed" means oilseed whose genetic structure has been altered at the molecular level by means that are not possible under natural conditions or processes, including recombinant DNA and RNA techniques, cell

fusion, gene deletion or doubling, introduction of exogenous genetic material, alteration of the position of a gene, or similar procedures."

Renumber the remaining subsection consecutively.

Representatives McIntire and Ericksen spoke in favor of the adoption of the amendment to the amendment.

Representatives Dunshee spoke against the adoption of the amendment to the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Lovick presiding) divided the House. The result was 46 - YEAS; 49 -NAYS.

The amendment to the amendment was not adopted.

Amendment (666) was adopted. The bill was ordered engrossed.

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

Representatives Dunshee, Jarrett, Morris, Armstrong and Cox spoke in favor of passage of the bill.

Representatives Orcutt and Clements 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 House Bill No. 2393.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2393 and the bill passed the House by the following vote: Yeas - 89, Nays - 7, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Blake, Buck, Buri, Campbell, Chase, Clibborn, Condotta, Conway, Cox, Crouse, Darneille, DeBolt, Dickerson, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, 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, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 89.

Voting nay: Representatives Bailey, Chandler, Clements, Curtis, Dunn, Orcutt and Talcott - 7.

Excused: Representatives Cody and Hinkle - 2.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2393, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2544, By Representatives P. Sullivan, Jarrett, Green, Dunshee, Upthegrove, McCoy, Ericks, Simpson, Schual-Berke, Lantz, Ormsby, Springer, Kilmer and Kagi; by request of Department of Community, Trade, and Economic Development

Authorizing project loans recommended by the public works board.

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.

Representative P. 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 House Bill No. 2544.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2544 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, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, 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, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Cody and Hinkle - 2.

HOUSE BILL NO. 2544, 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 9:55 a.m., January 31, 2006, the 23rd Day of the Regular Session.

FRANK CHOPP, Speaker

RICHARD NAFZIGER, Chief Clerk

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