

FIFTY NINTH LEGISLATURE - REGULAR SESSION  
FIFTY NINTH DAY

House Chamber, Olympia, Wednesday, March 9, 2005

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

The Speaker (Representative Lovick presiding) called upon Representative Morris to preside.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Christopher Ballou and Christina Alexander. The Speaker (Representative Morris presiding) led the Chamber in the Pledge of Allegiance. Prayer was offered by Reverend Paul Benz, the Evangelical Lutheran Church of America, Seattle.

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

MESSAGES FROM THE SENATE

March 8, 2005

Mr. Speaker:

The Senate has passed:

- ENGROSSED SUBSTITUTE SENATE BILL NO. 5002,
- SENATE BILL NO. 5117,
- SUBSTITUTE SENATE BILL NO. 5190,
- SENATE BILL NO. 5272,
- SUBSTITUTE SENATE BILL NO. 5317,
- SENATE BILL NO. 5327,
- ENGROSSED SENATE BILL NO. 5355,
- SUBSTITUTE SENATE BILL NO. 5664,
- SENATE BILL NO. 5691,
- SUBSTITUTE SENATE BILL NO. 5692,
- SUBSTITUTE SENATE BILL NO. 5939,
- SUBSTITUTE SENATE BILL NO. 6043,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

March 8, 2005

Mr. Speaker:

The Senate has passed:

- SUBSTITUTE SENATE BILL NO. 5038,
- SENATE BILL NO. 5039,
- SENATE BILL NO. 5044,
- SUBSTITUTE SENATE BILL NO. 5177,
- ENGROSSED SENATE BILL NO. 5194,
- SENATE BILL NO. 5198,
- SUBSTITUTE SENATE BILL NO. 5250,
- SENATE BILL NO. 5391,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5415,
- SUBSTITUTE SENATE BILL NO. 5436,
- SENATE BILL NO. 5462,
- SENATE BILL NO. 5501,
- ENGROSSED SUBSTITUTE SENATE BILL NO. 5577,
- SUBSTITUTE SENATE BILL NO. 5765,
- SENATE BILL NO. 5814,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

March 8, 2005

Mr. Speaker:

The Senate has passed:

- ENGROSSED SUBSTITUTE SENATE BILL NO. 5084,
  - ENGROSSED SENATE BILL NO. 5332,
  - ENGROSSED SUBSTITUTE SENATE BILL NO. 5452,
  - ENGROSSED SUBSTITUTE SENATE JOINT MEMORIAL NO. 8010,
- and the same are herewith transmitted.

Thomas Hoemann, Secretary

March 9, 2005

Mr. Speaker:

The Senate has passed:

- SUBSTITUTE SENATE BILL NO. 5054,
- SUBSTITUTE SENATE BILL NO. 5150,
- SUBSTITUTE SENATE BILL NO. 5176,
- SENATE BILL NO. 5181,
- SECOND SUBSTITUTE SENATE BILL NO. 5202,
- SENATE BILL NO. 5274,
- SENATE BILL NO. 5354,
- SENATE BILL NO. 5358,
- SUBSTITUTE SENATE BILL NO. 5442,
- SUBSTITUTE SENATE BILL NO. 5497,
- SUBSTITUTE SENATE BILL NO. 5558,
- SENATE BILL NO. 5636,
- SUBSTITUTE SENATE BILL NO. 5682,
- SENATE BILL NO. 5701,
- SUBSTITUTE SENATE BILL NO. 5708,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

March 9, 2005

Mr. Speaker:

The Senate has passed SENATE BILL NO. 5957, and the same is herewith transmitted.

Thomas Hoemann, Secretary

INTRODUCTION & FIRST READING

HB 2285 by Representatives B. Sullivan, Chase and Haler

AN ACT Relating to citizen participation at city council meetings; and amending RCW 35A.12.110.

Referred to Committee on Local Government.

SSB 5112 by Senate Committee on Early Learning, K-12 & Higher Education (originally sponsored by

Senators Shin, Schmidt, Rockefeller, Rasmussen, Kline, Sheldon, Keiser, Doumit, Berkey, Kastama, Haugen, McAuliffe, Franklin, Johnson, Kohl-Welles, Benson and Oke)

AN ACT Relating to veterans of the Afghanistan conflict and the Persian Gulf War II; amending RCW 28B.15.628; and reenacting and amending RCW 41.04.005.

Referred to Committee on Appropriations.

SB 5127 by Senators Kohl-Welles, Benton, Hargrove, Roach, Prentice, Thibaudeau, Stevens, Fraser and Keiser

AN ACT Relating to services for victims of trafficking of humans; adding a new section to chapter 7.68 RCW; adding a new section to chapter 43.330 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Criminal Justice & Corrections.

SSB 5146 by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Parlette, Kastama and Brandland)

AN ACT Relating to allowing confidential quality improvement committee meetings, proceedings, and deliberations; and amending RCW 70.44.062.

Referred to Committee on Health Care.

SB 5159 by Senator Keiser

AN ACT Relating to fees for performing independent reviews of health care disputes; and amending RCW 43.70.235.

Referred to Committee on Health Care.

SB 5221 by Senators Schmidt, Rasmussen, Brandland, Sheldon, Benson, Shin, Spanel, Kastama, Haugen, Schoesler, Fraser, Morton, Roach, Hewitt, Rockefeller, Franklin, McAuliffe, Kohl-Welles, Mulliken, Benton and Oke

AN ACT Relating to the joint committee on veterans' and military affairs; and amending RCW 73.04.150.

Referred to Committee on State Government Operations & Accountability.

SB 5254 by Senators Jacobsen, Rasmussen, Franklin, McAuliffe and Kohl-Welles

AN ACT Relating to a legislative youth advisory council; and adding a new section to chapter 44.04 RCW.

Referred to Committee on State Government Operations & Accountability.

SB 5267 by Senators Haugen, Esser, Rasmussen, Delvin and McAuliffe

AN ACT Relating to clarifying the ability of Washington state patrol officers to engage in private law enforcement off-duty employment in plainclothes for private benefit; and amending RCW 43.43.112.

Referred to Committee on Criminal Justice & Corrections.

SB 5307 by Senators Keiser, Eide and Kohl-Welles

AN ACT Relating to amusement rides; amending RCW 67.42.010, 67.42.020, 67.42.025, 67.42.030, 67.42.040, 67.42.050, 67.42.060, 67.42.070, 67.42.080, 67.42.090, and 19.28.351; adding a new section to chapter 67.42 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

SB 5319 by Senators Oke, Doumit, Roach, Hargrove, Honeyford, Swecker, Schoesler, Rasmussen, Berkey, Delvin, Morton, Regala, Sheldon, Stevens, Johnson and Mulliken

AN ACT Relating to trapping; amending RCW 77.08.010, 77.15.194, 77.65.450, 77.65.460, 77.32.545, and 77.15.198; adding new sections to chapter 77.12 RCW; repealing RCW 77.15.192; and declaring an emergency.

Referred to Committee on Natural Resources, Ecology & Parks.

SB 5347 by Senators Keiser and Brandland; by request of Department of Social and Health Services

AN ACT Relating to indemnifying and defending department of social and health services appointed temporary managers in nursing homes; and adding a new section to chapter 18.51 RCW.

Referred to Committee on Judiciary.

SSB 5360 by Senate Committee on Early Learning, K-12 & Higher Education (originally sponsored by Senators Brandland, Sheldon, Fairley, Berkey, Delvin, Benson and Rockefeller)

AN ACT Relating to studying performance and funding of running start students; and creating new sections.

Referred to Committee on Higher Education.

SB 5433 by Senators Kline, Hargrove and Carrell

AN ACT Relating to the membership of the commission on judicial conduct; amending RCW 2.64.020; and providing a contingent effective date.

Referred to Committee on Judiciary.

SB 5453 by Senators Delvin, Shin, Kline and Brandland

AN ACT Relating to civil immunity of radio and television broadcasting organizations participating in the Amber alert system; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Judiciary.

SSB 5463 by Senate Committee on Transportation (originally sponsored by Senators Doumit and Morton)

AN ACT Relating to recreational vehicle appurtenances; and adding a new section to chapter 46.44 RCW.

Referred to Committee on Transportation.

SB 5528 by Senators Morton, Mulliken, Schoesler, Benson, Delvin, Honeyford, Carrell, McCaslin and Stevens

AN ACT Relating to the department of ecology's inspection fees for hydraulic works; amending RCW 90.03.470; creating a new section; and declaring an emergency.

Referred to Committee on Natural Resources, Ecology & Parks.

SB 5565 by Senators Schmidt, Kastama, Weinstein, Roach, Keiser, Sheldon, Shin, Rockefeller, Oke and Kohl-Welles

AN ACT Relating to information for out-of-state, overseas, and service voters; and amending RCW 29A.40.150.

Referred to Committee on State Government Operations & Accountability.

SSB 5631 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Regala, Hargrove, Stevens, Brandland, Kline, McAuliffe, Franklin, Prentice, Esser, Delvin and Kohl-Welles)

AN ACT Relating to inmate work programs; and amending RCW 72.09.100 and 28A.335.190.

Referred to Committee on Criminal Justice & Corrections.

SSB 5676 by Senate Committee on Water, Energy & Environment (originally sponsored by Senators Poulsen, Kline, Shin, Spanel, Fraser and Kohl-Welles)

AN ACT Relating to oil spill management; and amending RCW 90.56.210 and 88.46.060.

Referred to Committee on Natural Resources, Ecology & Parks.

ESSB 5743 by Senate Committee on Government Operations & Elections (originally sponsored by Senators Kastama, Roach, Fairley, Benson, Berkey, Haugen, McAuliffe, Shin, Parlette, Keiser, Mulliken and Rockefeller; by request of Secretary of State)

AN ACT Relating to voter registration procedures; amending RCW 29A.08.010, 29A.08.030, 29A.08.107, 29A.08.110, 29A.08.115, 29A.08.145, 29A.08.210, 29A.08.520, 29A.08.651, and 29A.08.775; adding a new section to chapter 29A.08 RCW; repealing RCW 29A.08.155; and providing an effective date.

Referred to Committee on State Government Operations & Accountability.

SB 5957 by Senators Fairley, Benton and Brown

AN ACT Relating to escrow accounts required of self-funded multiple employer welfare arrangements; amending RCW 48.14.0201 and 48.41.060; and declaring an emergency.

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 except for SENATE BILL NO. 5957 which was read the first time in full and placed on the second reading calendar.

## SECOND READING SUSPENSION

**HOUSE BILL NO. 1592, By Representatives Strow, Talcott, Kenney, Woods, Darneille, Bailey, Green, Holmquist, Shabro, Moeller, Walsh, Williams, Skinner, Dunshee, Kristiansen, Pearson, Sommers, Dickerson, Conway, Clements, Linville, Haler, Upthegrove, Hasegawa, P. Sullivan, Clibborn, Lovick, Chase, Jarrett, Rodne, Blake, Ericks, Sells, Appleton, McCoy, McDonald, Dunn, DeBolt, Lantz, Santos, Roberts, Hudgins, Ahern, McCune, Alexander, Kretz, Hankins, Haigh, Tom, Kilmer,**

**Schual-Berke, McDermott, Newhouse, Condotta, Kagi and Serben**

**Including women's contributions in the World War II oral history project.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Strow and Conway spoke in favor of passage of the bill.

**MOTIONS**

On motion of Representative Clements, Representative Roach was excused. On motion of Representative Santos, Representative McIntire was excused.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1592.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1592 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

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

Excused: Representatives McIntire and Roach - 2.

HOUSE BILL NO. 1592, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1694, By Representatives O'Brien, Lovick, Hankins, Ericks, Holmquist, Darneille, Kirby and Moeller**

**Protecting public employee personal information.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1694 was read the second time.

The bill was placed on final passage.

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1694.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1694 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

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

Excused: Representatives McIntire and Roach - 2.

SUBSTITUTE HOUSE BILL NO. 1694, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1765, By Representatives Chase, Newhouse, Eickmeyer, Buri, Appleton, B. Sullivan and Dunn**

**Allowing auctioneers to auction vessels without registering as a vessel dealer.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1765 was read the second time.

The bill was placed on final passage.

Representatives Chase and Newhouse spoke in favor of passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1765.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1765 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

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

Excused: Representatives McIntire and Roach - 2.

SUBSTITUTE HOUSE BILL NO. 1765, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1876, By Representatives Green, Haler, Moeller, Darneille, Haigh, Miloscia and Upthegrove**

**Expanding voting rights of persons under guardianship.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1876 was read the second time.

The bill was placed on final passage.

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1876.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1876 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

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

Excused: Representatives McIntire and Roach - 2.

SUBSTITUTE HOUSE BILL NO. 1876, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1906, By Representatives Grant, Haler and Hankins**

**Revising provisions relating to regional law libraries.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Grant and Haler spoke in favor of passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1906.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1906 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

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

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

Excused: Representatives McIntire and Roach - 2.

HOUSE BILL NO. 1906, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2061, By Representatives Darneille, Moeller and Dickerson**

**Requiring disposition to be held in juvenile court in certain circumstances when a case is automatically transferred to adult court.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 2061 was read the second time.

The bill was placed on final passage.

Representatives Darneille and McDonald spoke in favor of passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2061.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2061 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

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

Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives McIntire and Roach - 2.

SUBSTITUTE HOUSE BILL NO. 2061, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2064, By Representatives Roberts, McDonald, Darneille, Moeller, Ericks, Lantz, McCune, Dickerson and Kagi**

**Clarifying provisions relating to automatic transfer of jurisdiction from juvenile court.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Roberts and McDonald spoke in favor of passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 2064.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2064 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

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

Excused: Representatives McIntire and Roach - 2.

HOUSE BILL NO. 2064, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2071, By Representatives Cody, P. Sullivan, Kenney and Dunn**

**Affording certain information held by the horse racing commission the same protection from public inspection as other regulated entities.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 2071 was read the second time.

The bill was placed on final passage.

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2071.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2071 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

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

Excused: Representatives McIntire and Roach - 2.

SUBSTITUTE HOUSE BILL NO. 2071, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2073, By Representatives Dickerson, Moeller and Chase**

**Revising juvenile sentencing alternatives.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 2073 was read the second time.

The bill was placed on final passage.

Representatives Dickinson and McDonald spoke in favor of passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2073.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2073 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

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

Excused: Representatives McIntire and Roach - 2.

SUBSTITUTE HOUSE BILL NO. 2073, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2088, By Representatives Lantz, Haigh and Simpson**

**Adding a ninth member to the state fire protection policy board.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 2088.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2088 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

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

Excused: Representatives McIntire and Roach - 2.

HOUSE BILL NO. 2088, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2115, By Representatives Dickerson, Roach, Simpson, Upthegrove, Ormsby, Chase, Roberts and Darneille; by request of Lieutenant Governor**

**Providing information to pregnant women about opiate treatment programs.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 2115.

#### **ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2115 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, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump,

Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 97.

Excused: Representative Roach - 1.

HOUSE BILL NO. 2115, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2189, By Representatives Kagi, Hinkle, Dickerson, Roberts, Darneille, Simpson, Moeller, Morrell and Santos**

**Establishing a work group to address safety of child protective services and child welfare services staff.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 2189.

#### **ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2189 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, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump,

Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 97.

Excused: Representative Roach - 1.

HOUSE BILL NO. 2189, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2215, By Representatives B. Sullivan and Ahern**

**Changing provisions relating to background checks.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 2215 was read the second time.

The bill was placed on final passage.

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2215.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2215 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, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 97.

Excused: Representative Roach - 1.

SUBSTITUTE HOUSE BILL NO. 2215, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2223, By Representative O'Brien**

**Prohibiting charging clerk's fees to law enforcement agencies for records concerning sex offenders.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 2223 was read the second time.

The bill was placed on final passage.

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2223.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2223 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, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 97.

Excused: Representative Roach - 1.

SUBSTITUTE HOUSE BILL NO. 2223, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2271, By Representatives Miloscia, McDermott, Moeller and Kenney**

**Extending employment opportunities for people with disabilities.**

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 2271.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2271 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, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 97.

Excused: Representative Roach - 1.

HOUSE BILL NO. 2271, having received the necessary constitutional majority, was declared passed.

### RESOLUTION

HOUSE RESOLUTION NO. 2005-4640, By Representative Green

WHEREAS, People with all kinds of disabilities have the right to live and work in communities with equal rights as equal citizens; and

WHEREAS, Living in a home in the community of your choice, free from isolation and segregation, is one key to achieving the American dream; and

WHEREAS, Those with disabilities are no longer willing to accept a fate that separates or excludes them; and

WHEREAS, Approximately 832,000 people in Washington state have a disability requiring personal assistance services by family members, providers, and community organizations; and

WHEREAS, There are seven independent living centers in Washington state working with individuals with disabilities on obtaining access to housing, employment, transportation, recreational facilities, and health and social services; and

WHEREAS, People live happier, more fulfilled lives when they are able to actively contribute to society by

working, volunteering, and participating in community events; and

WHEREAS, With the assistance of the 31,687 home and personal care workers in Washington state working to reduce unnecessary institutionalization and promote integration into community life, independent living is no longer an unattainable dream; and

WHEREAS, Living independently gives people the option to manage their own services, increasing control over their own decisions and lives; and

WHEREAS, Independent living empowers individuals with disabilities by creating opportunities, promoting choice, advancing access, and furthering participation in community life;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor and support the independence and rights of all individuals with disabilities; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Washington Protection and Advocacy System.

HOUSE RESOLUTION NO. 4640 was adopted.

### SECOND READING

**HOUSE BILL NO. 2170, By Representatives Springer, Dunshee, Clibborn and Morrell**

**Concerning proceeds from the real estate excise tax.**

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 Springer, Jarrett, Nixon, Dunshee, Fromhold, Cox?, Morrell and Murray spoke in favor of passage of the bill.

Representatives Alexander, Talcott, DeBolt, Dunn, Orcutt, Serben, Armstrong and Ericksen spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 2170.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2170 and the bill passed the House by the following vote: Yeas - 66, Nays - 31, Absent - 0, Excused - 1.

Voting yea: Representatives Appleton, Blake, Buri, Campbell, Chase, Clibborn, Cody, Conway, Cox, Darneille, Dickerson, Dunshee, Eickmeyer, Ericks, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Nixon, O'Brien, Ormsby, Pettigrew, Priest, Quall, Roberts, Santos, Schual-Berke, Sells, Simpson, Sommers, Springer, B. Sullivan, P. Sullivan, Takko, Talcott, Tom, Upthegrove, Wallace, Williams, Wood and Mr. Speaker - 66.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Buck, Chandler, Clements, Condotta, Crouse, Curtis, DeBolt, Dunn, Ericksen, Hinkle, Holmquist, Kretz, Kristiansen, McDonald, Newhouse, Orcutt, Pearson, Rodne, Schindler, Serben, Shabro, Skinner, Strow, Sump, Walsh and Woods - 31.

Excused: Representative Roach - 1.

HOUSE BILL NO. 2170, having received the necessary constitutional majority, was declared passed.

#### POINT OF PERSONAL PRIVILEGE

Representative Hudgins congratulated Representative Springer on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

**HOUSE BILL NO. 1152, By Representatives Kagi, Fromhold, Jarrett, Schual-Berke, Walsh, Quall, B. Sullivan, Grant, Ormsby, Kessler, Simpson, Moeller, Lovick, Roberts, Chase, Williams, P. Sullivan, Tom, Morrell, McIntire, Kenney, Haigh, McDermott, Dickerson, Santos and Linville**

#### Creating a Washington early learning council.

The bill was read the second time.

Representative Fromhold moved that Second Substitute House Bill No. 1152 be substituted for House Bill No. 1152 and the second substitute bill be placed on the second reading calendar. Representative Fromstrong spoke in favor of the motion. The motion was adopted.

SECOND SUBSTITUTE HOUSE BILL NO. 1152 was read the second time.

With the consent of the House, amendment (084) was withdrawn.

Representative Kagi moved the adoption of amendment (139):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that parents are their children's first and most important teachers, caregivers, and decision makers. The legislature also recognizes that many parents are employed or in school and must seek services in their communities to assist with the care and support of their children. Welfare reform requires parents with low incomes to enter the work force while their children are young, increasing parents' need for the support of such resources. In seeking out resources in their communities to provide care and support for their children, parents throughout the state need and deserve to have the best possible information to help inform their choices about the care and education of their children.

The legislature also finds that research on brain development in young children establishes that early experiences are important to children's emotional, social, physical, and cognitive development. Research also shows a clear and compelling connection between the quality of children's early childhood care and education experiences and later success in school and in life.

The legislature intends to build on the efforts of communities across the state to improve the quality of early learning environments available to children and their families, as well as the information available to families relating to those early learning environments. The legislature recognizes that efforts to improve early learning must build upon existing partnerships between the public and private sectors. The experiences and resources of both public and private entities are essential to making meaningful and lasting improvements in the quality of early learning environments across the state. Statewide leadership is needed to guide and support the efforts of the private and public sectors working together to make systemwide improvements in the quality, affordability, and accessibility of early learning opportunities.

The legislature intends to establish an effective oversight body, composed of representation from the public and private sectors, to provide leadership and vision to strengthen the quality of early learning services and programs for all children and families in the state and to ensure that children enter school ready to succeed.

**NEW SECTION. Sec. 2.** The definitions in this section apply throughout sections 1 through 6 of this act unless the context clearly requires otherwise.

(1) "Early learning programs and services" include the following: Child care; state, private, and nonprofit preschool programs; child care subsidy programs; and training and professional development programs for early learning professionals.

(2) "Council" means the Washington early learning council.

**NEW SECTION. Sec. 3.** (1) The Washington early learning council is established in the governor's office. The purpose of the council is to provide vision, leadership, and direction to the improvement, realignment, and expansion of early learning programs and services for children birth to five years of age in order to better meet the early learning needs of children and their families. The goal of the council is to build upon existing efforts and recommend new initiatives, as necessary, to create an adequately financed, high-quality, accessible, and comprehensive early learning system that benefits all young children whose parents choose it.

(2) The council shall develop an early learning plan to improve the organization of early learning programs and services at the state level, and to improve the accessibility and quality of early learning programs and services throughout the state.

(a) By November 15, 2005, the council shall make recommendations to the governor and the appropriate committees of the legislature concerning statewide organization of early learning.

(b) The council shall also make recommendations to the governor and the appropriate committees of the legislature concerning the following:

(i) Identification of current populations being served and potential populations to be served by early learning programs and services;

(ii) The state's role in supporting quality early learning programs and services;

(iii) Appropriate levels and sources of stable and sustainable funding to meet statewide and local need for early learning programs and services, including public-private partnerships;

(iv) Changes in existing early learning programs and services, including the administration of those programs and services, to improve their efficiency, effectiveness, and quality;

(v) Changes in existing early learning programs and services to ensure that the content is aligned with what children need to know and be able to do upon entering school;

(vi) How to maximize available early learning resources to ensure children are receiving continuity of care; and

(vii) Providing for smooth transitions from early learning programs and services to K-12 programs.

(c) As provided in sections 5 and 6 of this act, the council shall focus on quality improvements to licensed child care through the following mechanisms:

(i) A voluntary, quality-based, graduated rating system to provide information to parents on the quality of child care programs and to provide resources and incentives for quality improvements; and

(ii) A tiered-reimbursement system for state-subsidized child care to improve the quality of care for children participating in state-funded care.

(d) The council shall make recommendations to the governor and the appropriate committees of the legislature concerning the regulation of child care, including child care that is exempt from regulation and unlicensed child care that is subject to regulation, in order to ensure the safety, health, quality, and accessibility of child care services throughout the state.

(3) The council shall serve as the advisory committee on early learning to the comprehensive education study steering committee, created in Substitute House Bill No. 1380. The nongovernmental cochair of the council shall serve as the chair of the advisory committee on early learning. The council shall have input on the recommendations developed by the comprehensive education study steering committee.

(4) The council shall make use of existing reports, research, planning efforts, and programs, including, but not limited to, the following: The federal early head start program, the federal head start program, the state early childhood education and assistance program, the state's essential academic learning requirements and K-3 grade level expectations, the Washington state early learning and development benchmarks, existing tiered-reimbursement initiatives, the state's early childhood comprehensive systems plan, and the work of the child care coordinating committee established pursuant to RCW 74.13.090.

**NEW SECTION. Sec. 4.** (1) The council shall include representation from public, nonprofit, and for-profit entities, and its membership shall reflect regional, racial, and cultural diversity to ensure representation of the needs of all children and families in the state.

(2) The council shall consist of seventeen members, as follows:

(a) One representative each of the governor's office, the department of social and health services, the department of health, and the state board for community and technical colleges, appointed by the governor;

(b) One representative of the office of superintendent of public instruction, appointed by the superintendent of public instruction;

(c) Two representatives of private business and two representatives of philanthropy, appointed by the governor;

(d) Four individuals who have demonstrated leadership and engagement in the field of early learning, appointed by the governor; and

(e) Two members of the house of representatives appointed by the speaker of the house of representatives, one of whom shall be a member of the majority caucus and one of whom shall be a member of the minority caucus, and two members of the senate appointed by the president of the senate, one of whom shall be a member of the majority caucus and one of whom shall be a member of the minority caucus.

(3) The council shall be cochaired by the representative of the governor's office and a nongovernmental member designated by the governor.

(4) Members of the council shall be compensated in accordance with RCW 43.03.240 and shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(5) The governor may employ an executive director, who is exempt from the provisions of chapter 41.06 RCW, and such other staff as is necessary to carry out the purposes of sections 1 through 6 of this act. The governor pursuant to RCW 43.03.040 shall fix the salary of the executive director.

(6) The council shall monitor and measure its progress and regularly report, as appropriate, to the governor and the appropriate committees of the legislature on the progress, findings, and recommendations of the council.

(7) The council shall establish one or more technical advisory committees, as needed. Membership of such advisory committees may include the following: Representatives of any state agency the council deems appropriate, including the higher education coordinating board and the state board for community and technical colleges; family home child care providers, child care center providers, and college or university child care providers; parents; early childhood development experts; representatives of school districts and teachers involved in the provision of child care and preschool programs; representatives of resource and referral programs; parent education specialists; pediatric or other health professionals; representatives of citizen groups concerned with child care and early learning; representatives of labor organizations; representatives of private business; and representatives of head start and early childhood education assistance program agencies.

**NEW SECTION. Sec. 5.** (1) The council shall develop a voluntary, quality-based, graduated rating system consisting of levels of quality to be achieved by licensed child care providers serving children and families in the state. The purpose of the rating system is to provide families with vital information about the quality of early learning programs available to them and to increase the quality of early learning programs operating throughout the state. In developing the voluntary rating system, the council shall seek to build upon existing partnerships and initiate new partnerships between the public and private sectors.

(2) In developing the voluntary rating system, the council shall establish a system of tiers as the basis for the rating system's levels of quality. In developing the system of tiers, the council shall take into consideration the following quality criteria:

(a) Child-to-staff ratios;

(b) Group size;

(c) Learning environment, including staff and child interactions;

(d) Curriculum;

(e) Parent and family involvement and support;

(f) Staff qualifications and training;

(g) Staff professional development;

(h) Staff compensation;

(i) Staff stability;

(j) Accreditation;

(k) Program evaluation; and

(l) Program administrative policies and procedures.

(3) In developing the voluntary rating system, the council shall establish quality assurance measures as well as a mechanism for system evaluation.

(4) In developing the voluntary rating system, the council shall make recommendations concerning both initial and subsequent statewide implementation of the rating system, including the following:

(a) Potential implementing entities;

(b) Sources of funding for implementation;

(c) Necessary infrastructure for facilitating and supporting participation in the rating system, including assistance necessary to help providers progress up the tiers; and

(d) Strategies for raising public awareness of the rating system.

(5) The council shall complete initial development of the voluntary rating system by December 1, 2005, and complete development by December 1, 2006.

(6) The council shall submit the voluntary rating system to the governor and the appropriate fiscal and policy committees of the legislature by January 1, 2007. If no action is taken by the legislature by the end of the 2007 regular legislative session, the council may begin initial implementation of the voluntary rating system, subject to available funding.

**NEW SECTION. Sec. 6.** (1) The council shall develop a tiered-reimbursement system that provides higher rates of reimbursement for state-subsidized child care for licensed child care providers that achieve one or more levels of quality above basic licensing requirements in accordance with the voluntary quality-based graduated rating system developed pursuant to section 5 of this act.

(2) In developing the tiered-reimbursement system, the council shall review existing tiered-reimbursement initiatives in the state and integrate those initiatives into the tiered-reimbursement system.

(3) The council shall complete initial development of the tiered-reimbursement system by December 1, 2005, to be implemented in two pilot sites in different geographic regions of the state with demonstrated public-private partnerships. The council shall complete development of the tiered-reimbursement system by December 1, 2006, to be implemented statewide.

**NEW SECTION. Sec. 7.** A new section is added to chapter 74.15 RCW to read as follows:

(1) Subject to the availability of amounts appropriated for this specific purpose, the department of social and health services shall implement the tiered-reimbursement system developed pursuant to section 6 of this act. Implementation of the tiered-reimbursement system shall initially consist of two pilot sites in different geographic regions of the state with demonstrated public-private partnerships, with statewide implementation to follow.

(2) In implementing the tiered-reimbursement system, consideration shall be given to child care providers who provide staff wage progression.

(3) The department shall begin implementation of the two pilot sites by March 30, 2006.

**Sec. 8.** RCW 28B.135.030 and 1999 c 375 s 3 are each amended to read as follows:

The higher education coordinating board shall administer the program for four-year institutions of higher education. The state board for community and technical colleges shall administer the program for community and technical colleges. The higher education coordinating board and the state board for community and technical colleges shall have the following powers and duties in administering each program:

(1) To adopt rules necessary to carry out the program;

(2) To establish one or more review committees to assist in the evaluation of proposals for funding. The review committee shall include but not be limited to individuals from the Washington association for the education of young children (~~the child care coordinating committee~~) and the child care resource and referral network;

(3) To establish each biennium specific guidelines for submitting grant proposals consistent with the overall goals of the program. During the 1999-2001 biennium the guidelines shall be consistent with the following desired outcomes of increasing access to child care for students, addressing the demand for infant and toddler care, providing affordable child care alternatives, creating more cooperative preschool programs, creating models that can be replicated at other institutions, creating a partnership between university or college administrations and student government, or its equivalent and increasing efficiency and innovation at campus child care centers;

(4) To establish guidelines for an allocation system based on factors that include but are not limited to: The amount of money available in the trust fund; characteristics of the institutions including the size of the faculty and student body; and the number of child care grants received;

(5) To solicit grant proposals and provide information to the institutions of higher education about the program; and

(6) To establish reporting, evaluation, accountability, monitoring, and dissemination requirements for the recipients of the grants.

**Sec. 9.** RCW 41.04.385 and 2002 c 354 s 236 are each amended to read as follows:

The legislature finds that (1) demographic, economic, and social trends underlie a critical and increasing demand for child care in the state of Washington; (2) working parents and their children benefit when the employees' child care needs have been resolved; (3) the state of Washington should serve as a model employer by creating a supportive atmosphere, to the extent feasible, in which its employees may meet their child care needs; and (4) the state of Washington should encourage the development of partnerships between state agencies, state employees, state employee labor organizations, and private employers to expand the availability of affordable quality child care. The legislature finds further that resolving employee child care concerns not only benefits the employees and their children, but may benefit the employer by reducing absenteeism, increasing employee productivity,

improving morale, and enhancing the employer's position in recruiting and retaining employees. Therefore, the legislature declares that it is the policy of the state of Washington to assist state employees by creating a supportive atmosphere in which they may meet their child care needs. Policies and procedures for state agencies to address employee child care needs will be the responsibility of the director of personnel in consultation with ~~(the child care coordinating committee, as provided in RCW 74.13.090, and)~~ state employee representatives.

**Sec. 10.** RCW 74.13.0903 and 1997 c 58 s 404 are each amended to read as follows:

The office of child care policy is established to operate under the authority of the department of social and health services. The duties and responsibilities of the office include, but are not limited to, the following, within appropriated funds:

~~(1) (Staff and assist the child care coordinating committee in the implementation of its duties under RCW 74.13.090;~~

~~(2))~~ Work in conjunction with the statewide child care resource and referral network as well as local governments, nonprofit organizations, businesses, and community child care advocates to create local child care resource and referral organizations. These organizations may carry out needs assessments, resource development, provider training, technical assistance, and parent information and training;

~~(3))~~ (2) Actively seek public and private money for distribution as grants to the statewide child care resource and referral network and to existing or potential local child care resource and referral organizations;

~~(4))~~ (3) Adopt rules regarding the application for and distribution of grants to local child care resource and referral organizations. The rules shall, at a minimum, require an applicant to submit a plan for achieving the following objectives:

(a) Provide parents with information about child care resources, including location of services and subsidies;

(b) Carry out child care provider recruitment and training programs, including training under RCW 74.25.040;

(c) Offer support services, such as parent and provider seminars, toy-lending libraries, and substitute banks;

(d) Provide information for businesses regarding child care supply and demand;

(e) Advocate for increased public and private sector resources devoted to child care;

(f) Provide technical assistance to employers regarding employee child care services; and

(g) Serve recipients of temporary assistance for needy families and working parents with incomes at or below household incomes of one hundred seventy-five percent of the federal poverty line;

~~(5))~~ (4) Provide staff support and technical assistance to the statewide child care resource and referral network and local child care resource and referral organizations;

~~(6))~~ (5) Maintain a statewide child care licensing data bank and work with department of social and health services licensors to provide information to local child care resource and referral organizations about licensed child care providers in the state;

~~(7))~~ (6) Through the statewide child care resource and referral network and local resource and referral organizations, compile data about local child care needs and availability for future planning and development;

~~(8))~~ (7) Coordinate with the statewide child care resource and referral network and local child care resource and referral organizations for the provision of training and technical assistance to child care providers; and

~~(9))~~ (8) Collect and assemble information regarding the availability of insurance and of federal and other child care funding to assist state and local agencies, businesses, and other child care providers in offering child care services.

**Sec. 11.** RCW 74.15.030 and 2000 c 162 s 20 and 2000 c 122 s 40 are each reenacted and amended to read as follows:

The secretary shall have the power and it shall be the secretary's duty:

(1) In consultation with the children's services advisory committee, and with the advice and assistance of persons representative of the various type agencies to be licensed, to designate categories of facilities for which separate

or different requirements shall be developed as may be appropriate whether because of variations in the ages, sex and other characteristics of persons served, variations in the purposes and services offered or size or structure of the agencies to be licensed hereunder, or because of any other factor relevant thereto;

(2) In consultation with the children's services advisory committee, and with the advice and assistance of persons representative of the various type agencies to be licensed, to adopt and publish minimum requirements for licensing applicable to each of the various categories of agencies to be licensed.

The minimum requirements shall be limited to:

(a) The size and suitability of a facility and the plan of operation for carrying out the purpose for which an applicant seeks a license;

(b) The character, suitability and competence of an agency and other persons associated with an agency directly responsible for the care and treatment of children, expectant mothers or developmentally disabled persons. In consultation with law enforcement personnel, the secretary shall investigate the conviction record or pending charges and dependency record information under chapter 43.43 RCW of each agency and its staff seeking licensure or relicensure. No unfounded allegation of child abuse or neglect as defined in RCW 26.44.020 may be disclosed to a child-placing agency, private adoption agency, or any other provider licensed under this chapter. In order to determine the suitability of applicants for an agency license, licensees, their employees, and other persons who have unsupervised access to children in care, and who have not resided in the state of Washington during the three-year period before being authorized to care for children shall be fingerprinted. The fingerprints shall be forwarded to the Washington state patrol and federal bureau of investigation for a criminal history records check. The fingerprint criminal history records checks will be at the expense of the licensee except that in the case of a foster family home, if this expense would work a hardship on the licensee, the department shall pay the expense. The licensee may not pass this cost on to the employee or prospective employee, unless the employee is determined to be unsuitable due to his or her criminal history record. The secretary shall use the information solely for the purpose of determining eligibility for a license and for determining the character, suitability, and competence of those persons or agencies, excluding parents, not required to be licensed who are authorized to care for children, expectant mothers, and developmentally disabled persons. Criminal justice agencies shall provide the secretary such information as they may have and that the secretary may require for such purpose;

(c) The number of qualified persons required to render the type of care and treatment for which an agency seeks a license;

(d) The safety, cleanliness, and general adequacy of the premises to provide for the comfort, care and well-being of children, expectant mothers or developmentally disabled persons;

(e) The provision of necessary care, including food, clothing, supervision and discipline; physical, mental and social well-being; and educational, recreational and spiritual opportunities for those served;

(f) The financial ability of an agency to comply with minimum requirements established pursuant to chapter 74.15 RCW and RCW 74.13.031; and

(g) The maintenance of records pertaining to the admission, progress, health and discharge of persons served;

(3) To investigate any person, including relatives by blood or marriage except for parents, for character, suitability, and competence in the care and treatment of children, expectant mothers, and developmentally disabled persons prior to authorizing that person to care for children, expectant mothers, and developmentally disabled persons. However, if a child is placed with a relative under RCW 13.34.065 or 13.34.130, and if such relative appears otherwise suitable and competent to provide care and treatment the criminal history background check required by this section need not be completed before placement, but shall be completed as soon as possible after placement;

(4) On reports of alleged child abuse and neglect, to investigate agencies in accordance with chapter 26.44 RCW, including child day-care centers and family day-care homes, to determine whether the alleged abuse or neglect has occurred, and whether child protective services or referral to a law enforcement agency is appropriate;

(5) To issue, revoke, or deny licenses to agencies pursuant to chapter 74.15 RCW and RCW 74.13.031. Licenses shall specify the category of care which an agency is authorized to render and the ages, sex and number of persons to be served;

(6) To prescribe the procedures and the form and contents of reports necessary for the administration of chapter 74.15 RCW and RCW 74.13.031 and to require regular reports from each licensee;

(7) To inspect agencies periodically to determine whether or not there is compliance with chapter 74.15 RCW and RCW 74.13.031 and the requirements adopted hereunder;

(8) To review requirements adopted hereunder at least every two years and to adopt appropriate changes after consultation with ~~((the child care coordinating committee and other))~~ affected groups for child day-care requirements and with the children's services advisory committee for requirements for other agencies; and

(9) To consult with public and private agencies in order to help them improve their methods and facilities for the care of children, expectant mothers and developmentally disabled persons.

**NEW SECTION. Sec. 12.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2005, in the omnibus appropriations act, this act is null and void.

**NEW SECTION. Sec. 13.** The following acts or parts of acts are each repealed:

(1) RCW 74.13.090 (Child care coordinating committee) and 1995 c 399 s 204, 1993 c 194 s 7, 1989 c 381 s 3, & 1988 c 213 s 2; and

(2) RCW 74.13.0901 (Child care partnership) and 1989 c 381 s 4.

**NEW SECTION. Sec. 14.** Sections 1 through 6 of this act expire July 1, 2007.

**NEW SECTION. Sec. 15.** 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."

Correct the title.

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

The amendment 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 Kagi and Hinkle spoke in favor of passage of the bill.

There being no objection, the House deferred action on ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1152, and the bill held its place on third reading.

The Speaker (Representative Morris presiding) called upon Representative Lovick to preside.

**SENATE BILL NO. 5957, By Senators Fairley, Benton and Brown**

**Changing the terms for the escrow accounts required of self-funded multiple employer welfare arrangements.**

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 Kirby and Priest 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. 5957.

### ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5957 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, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 97.

Excused: Representative Roach - 1.

SENATE BILL NO. 5957, having received the necessary constitutional majority, was declared passed.

There being no objection, ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1152 was returned to Second Reading for purpose of amendments.

Representative Hinkle moved the adoption of amendment (162) to amendment (139):

On page 7, beginning on line 15 of the amendment, after "statewide" insert ", subject to the availability of amounts appropriated by the legislature for this specific purpose"

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

The amendment 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.

### MOTION

On motion of Representative Clements, Representative Buck was excused.

Representatives Kagi, Hinkle, Fromhold and Ormsby spoke in favor of passage of the bill.

Representatives Alexander, Schindler, Ahern and Dunn 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. 1152.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1152 and the bill passed the House by the following vote: Yeas - 68, Nays - 28, Absent - 0, Excused - 2.

Voting yea: Representatives Appleton, Blake, Buri, Campbell, Chase, Clements, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, O'Brien, Ormsby, Pettigrew, Quall, Roberts, Santos, Schual-Berke, Sells, Simpson, Skinner, Sommers, Springer, B. Sullivan, P. Sullivan, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood and Mr. Speaker - 68.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Chandler, Condotta, Cox, Crouse, Curtis, DeBolt, Dunn, Holmquist, Kretz, Kristiansen, McCune, McDonald, Nixon, Orcutt, Pearson, Priest, Rodne, Schindler, Serben, Shabro, Strow, Sump and Woods - 28.

Excused: Representatives Buck and Roach - 2.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1152, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

March 9, 2005

Mr. Speaker:

The President has signed SENATE BILL NO. 5957, and the same is herewith transmitted.

Thomas Hoemann, Secretary

**HOUSE BILL NO. 1012, By Representatives Morris, Hudgins, Simpson, Nixon, Anderson, Morrell, Linville, B. Sullivan and Ormsby**

**Regulating computer spyware.**

The bill was read the second time.

Representative Morris moved that Substitute House Bill No. 1012 be substituted for House Bill No. 1012 and the substitute bill be placed on the second reading calendar. Representative Morris spoke in favor of the motion. The motion was adopted.

SUBSTITUTE HOUSE BILL NO. 1012 was read the second time.

Representative Morris moved the adoption of amendment (117):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Advertisement" means a communication, the primary purpose of which is the commercial promotion of a commercial product or service, including a communication on an internet web site that is operated for a commercial purpose.

(2) "Computer software" means a sequence of instructions written in any programming language that is executed on a computer. "Computer software" does not include computer software that is a web page, or are data components of web pages that are not executable independently of the web page.

(3) "Damage" means any significant impairment to the integrity or availability of data, computer software, a system, or information.

(4) "Execute" means the performance of the functions or the carrying out of the instructions of the computer software.

(5) "Intentionally deceptive" means any of the following:

(a) An intentionally and materially false or fraudulent statement;

(b) A statement or description that intentionally omits or misrepresents material information in order to deceive an owner or operator; and

(c) An intentional and material failure to provide any notice to an owner or operator regarding the installation or execution of computer software in order to deceive the owner or operator.

(6) "Internet" means the global information system that is logically linked together by a globally unique address space based on the internet protocol (IP), or its subsequent extensions, and that is able to support communications using the transmission control protocol/internet protocol (TCP/IP) suite, or its subsequent extensions, or other IP-compatible protocols, and that provides, uses, or makes accessible, either publicly or privately, high level services layered on the communications and related infrastructure described in this subsection.

(7) "Owner or operator" means the owner or lessee of a computer, or someone using such computer with the owner's or lessee's authorization. "Owner or operator" does not include any person who owns a computer before the first retail sale of such computer.

(8) "Person" means any individual, partnership, corporation, limited liability company, or other organization, or any combination thereof.

(9) "Personally identifiable information" means any of the following with respect to an individual who is an owner or operator:

(a) First name or first initial in combination with last name;

(b) A home or other physical address including street name;

(c) An electronic mail address;

(d) A credit or debit card number, bank account number, or a password or access code associated with a credit or debit card or bank account;

(e) Social security number, tax identification number, driver's license number, passport number, or any other government-issued identification number; and

(f) Any of the following information in a form that personally identifies an owner or operator:

(i) Account balances;

(ii) Overdraft history; and

(iii) Payment history.

(10) "Transmit" means to transfer, send, or make available computer software, or any component thereof, via the internet or any other medium, including local area networks of computers, other nonwire transmission, and disc or other data storage device. "Transmit" does not include any action by a person providing:

(a) The internet connection, telephone connection, or other means of transmission capability such as a compact disk or digital video disk through which the software was made available;

(b) The storage or hosting of the software program or a web page through which the software was made available; or

(c) An information location tool, such as a directory, index reference, pointer, or hypertext link, through which the user of the computer located the software, unless such person receives a direct economic benefit from the execution of such software on the computer.

**NEW SECTION. Sec. 2.** It is unlawful for a person who is not an owner or operator to transmit computer software to the owner or operator's computer with actual knowledge or with conscious avoidance of actual knowledge and to use such software to do any of the following:

(1) Modify, through intentionally deceptive means, settings that control any of the following:

(a) The page that appears when an owner or operator launches an internet browser or similar computer software used to access and navigate the internet;

(b) The default provider or web proxy the owner or operator uses to access or search the internet; and

(c) The owner or operator's list of bookmarks used to access web pages;

(2) Collect, through intentionally deceptive means, personally identifiable information:

(a) Through the use of a keystroke-logging function that records all keystrokes made by an owner or operator and transfers that information from the computer to another person;

(b) In a manner that correlates such information with data respecting all or substantially all of the web sites visited by an owner or operator, other than web sites operated by the person collecting such information; and

(c) Described in section 1(9) (d), (e), or (f)(i) or (ii) of this act by extracting the information from the owner or operator's hard drive;

(3) Prevent, through intentionally deceptive means, an owner or operator's reasonable efforts to block the installation or execution of, or to disable, computer software by causing the software that the owner or operator has properly removed or disabled automatically to reinstall or reactivate on the computer;

(4) Intentionally misrepresent that computer software will be uninstalled or disabled by an owner or operator's action; and

(5) Through intentionally deceptive means, remove, disable, or render inoperative security, antispyware, or antivirus computer software installed on the computer.

**NEW SECTION. Sec. 3.** It is unlawful for a person who is not an owner or operator to transmit computer software to the owner or operator's computer with actual knowledge or with conscious avoidance of actual knowledge and to use the software to do any of the following:

(1) Take control of the computer by:

(a) Accessing or using the modem or internet service for such computer to cause damage to the computer or cause an owner or operator to incur financial charges for a service that is not authorized by the owner or operator;

(b) Opening multiple, sequential, stand-alone advertisements in the owner or operator's internet browser without the authorization of an owner or

operator and that a reasonable computer user cannot close without turning off the computer or closing the internet browser;

(2) Modify any of the following settings related to the computer's access to, or use of, the internet:

(a) Settings that protect information about the owner or operator in order to steal the owner or operator's personally identifiable information; and

(b) Security settings in order to cause damage to a computer; and

(3) Prevent an owner or operator's reasonable efforts to block the installation of, or to disable, computer software by doing any of the following:

(a) Presenting the owner or operator with an option to decline installation of computer software with knowledge that, when the option is selected, the installation nevertheless proceeds; and

(b) Falsely representing that computer software has been disabled.

**NEW SECTION. Sec. 4.** It is unlawful for a person who is not an owner or operator to do any of the following with regard to the owner or operator's computer:

(1) Induce an owner or operator to install a computer software component onto the computer by intentionally misrepresenting the extent to which installing the software is necessary for security or privacy reasons or in order to open, view, or play a particular type of content; and

(2) Deceptively cause the execution on the computer of a computer software component with the intent of causing the owner or operator to use the component in a manner that violates any other provision of this section.

**NEW SECTION. Sec. 5.** Section 3 or 4 of this act does not apply to any monitoring of, or interaction with, a subscriber's internet or other network connection or service, or a computer, by a telecommunications carrier, cable operator, computer hardware or software provider, or provider of information service or interactive computer service for network or computer security purposes, diagnostics, technical support, maintenance, repair, authorized updates of software or system firmware, authorized remote system management, or detection or prevention of the unauthorized use of or fraudulent or other illegal activities in connection with a network, service, or computer software, including scanning for and removing software under this chapter.

**NEW SECTION. Sec. 6.** (1) In addition to any other remedies provided by this chapter or any other provision of law, the attorney general, or a provider of computer software or owner of a web site or trademark who is adversely affected by reason of a violation of this chapter, may bring an action against a person who violates this chapter to enjoin further violations and to recover either actual damages or one hundred thousand dollars per violation, whichever is greater.

(2) In an action under subsection (1) of this section, a court may increase the damages up to three times the damages allowed under subsection (1) of this section if the defendant has engaged in a pattern and practice of violating this chapter. The court may also award costs and reasonable attorneys' fees to the prevailing party.

(3) The amount of damages determined under subsection (1) or (2) of this section may not exceed two million dollars.

**NEW SECTION. Sec. 7.** It is the intent of the legislature that this chapter is a matter of statewide concern. This chapter supersedes and preempts all rules, regulations, codes, ordinances, and other laws adopted by a city, county, city and county, municipality, or local agency regarding spyware and notices to consumers from computer software providers regarding information collection.

**NEW SECTION. Sec. 8.** This act does not add to, contract, alter, or amend any cause of action allowed under chapter 19.86 RCW and does not affect in any way the application of chapter 19.86 RCW to any future case or fact pattern.

**NEW SECTION. Sec. 9.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 10.** Sections 1 through 9 of this act constitute a new chapter in Title 19 RCW."

Correct the title.

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

The amendment 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 Morris 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 Engrossed Substitute House Bill No. 1012.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1012 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, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Buck and Roach - 2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1012, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1185, By Representatives Morrell, Haler, Morris, Tom, Green, Jarrett, Clibborn, Moeller, Upthegrove, Pettigrew, Chase, Flannigan, Cody, Newhouse, Wallace, Hasegawa, Quall, Linville, Simpson, B. Sullivan, Sells, Lantz, Schual-Berke, Appleton, Campbell, Darneille, Dickerson, Armstrong, Kenney,**

**Condotta, Kagi, Ormsby, Hunt, McIntire, Haigh and Kilmer**

**Prohibiting disclosure of personal wireless numbers.**

The bill was read the second time.

Representative Morris moved that Substitute House Bill No. 1185 be substituted for House Bill No. 1185 and the substitute bill be placed on the second reading calendar. Representative Morris spoke in favor of the motion. The motion was adopted.

SUBSTITUTE HOUSE BILL NO. 1185 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 Morrell, Nixon and Morris 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. 1185.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1185 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, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Buck and Roach - 2.

SUBSTITUTE HOUSE BILL NO. 1185, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1888, By Representatives Nixon, Morris, Hunter, B. Sullivan, Simpson, Ormsby, Morrell,**

**Haler, Clibborn, Ericks, Williams, Darneille, Dunn, Dickerson, P. Sullivan, Green and Hudgins**

**Regulating electronic mail fraud.**

The bill was read the second time.

Representative Fromhold moved that Second Substitute House Bill No. 1888 be substituted for House Bill No. 1888 and the second substitute bill be placed on the second reading calendar. Representative Fromhold spoke in favor of the motion. The motion was adopted.

SECOND SUBSTITUTE HOUSE BILL NO. 1888 was read the second time.

Representative Nixon moved the adoption of amendment (118):

On page 1, line 16, after "act." insert ""Assist the transmission" does not include any of the following: (a) Activities of an electronic mail service provider or other entity who provides intermediary transmission service in sending or receiving electronic mail, or provides to users of electronic mail services the ability to send, receive, or compose electronic mail; or (b) activities of any entity related to the design, manufacture, or distribution of any technology, product, or component that has a commercially significant use other than to violate or circumvent this section."

On page 3, line 31, after "greater." insert "A person who seeks damages under this subsection may only bring an action against a person or entity that directly violates section 2 of this act."

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

The amendment 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 Nixon and Morris spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1888.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1888 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, Buri, Campbell,

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

Excused: Representatives Buck and Roach - 2.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1888, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1413, By Representatives Dunshee, Jarrett, Hunt, Nixon, Linville, Anderson, Sells, Tom, Appleton, Eickmeyer, B. Sullivan, Ericks, Chase, Lantz, Flannigan, Green, Ormsby, Upthegrove, Blake, O'Brien, Priest, Morrell, Clibborn, Kagi, Williams, Moeller, McCoy, Miloscia, Campbell and Simpson**

**Expanding the criteria for habitat conservation programs.**

The bill was read the second time.

Representative Fromhold moved that Substitute House Bill No. 1413 be substituted for House Bill No. 1413 and the substitute bill be placed on the second reading calendar. Representative Fromhold spoke in favor of the motion. The motion was adopted.

SUBSTITUTE HOUSE BILL NO. 1413 was read the second time.

With the consent of the House, amendment (157) was withdrawn.

Representative Newhouse moved the adoption of amendment (112):

On page 3, line 4, after "(a)" strike "Appropriations" and insert "Except as provided in subsection (c) of this section, appropriations"

On page 3, after line 19, insert:

"(c) However, during the 2005 - 2007 fiscal biennium, moneys shall be allocated as provided in subsection (a) and subsection (b) only for the outdoor recreation account, and all other moneys shall be allocated to the state drought preparedness account."

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

Representative Dunshee spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Sump moved the adoption of amendment (173):

On page 5, after line 18, insert:

"(6) When distributing moneys from the habitat conservation account, the committee shall allocate moneys for projects by county in the same percentage value as the county's state retail sales and use tax collections as a percentage of the total state retail sales and use tax collections."

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

Representative Dunshee spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Schindler moved the adoption of amendment (158):

On page 7, beginning on line 31, after "account." strike all material through "share." on line 33

On page 10, beginning on line 21, after "account." strike all material through "share." on line 23

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

Representative Dunshee spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Schindler moved the adoption of amendment (136):

On page 9, after line 7, insert the following:

"(11)(a) If the acquisition of property interests for riparian protection from the riparian protection account under this section reduces the development potential of land in a county or city planning under RCW 36.70A.040:

(i) The county or city must determine the acreage and qualitative reduction in land suitable for development within the county or city and docket that amount as a deficiency to the planning director of the county or city in which the land is located; and

(ii) By December 31, 2005, and at least every five years thereafter, each county or city shall increase the total amount of land suitable for development within the county or city by the total docketed acreage deficiency under (a)(i) of this subsection, with comparable qualitative land characteristics, through enactment of an ordinance.

(b) For the purposes of this subsection:

(i) "Docket" means compiling and maintaining a detailed list, available to the public, of acreage and land use deficiencies in a manner that ensures the deficiencies will be presented for the required periodic county or city action; and

(ii) "Qualitative land characteristics" means the designated use of the land in deficiency, its suitability for development, the general location of that land within the county or city, its physical characteristics, and the availability of urban levels of service for the land."

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

Representative Dunshee spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Schindler moved the adoption of amendment (137):

On page 12, after line 5, insert the following:

"(12) No property interests shall be acquired with moneys appropriated to the farmlands preservation account established under subsection (1) of this section within ten miles of an urban growth area in counties or cities planning under RCW 36.70A.040 and that designate an urban growth area pursuant to RCW 36.70A.110."

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

Representative Dunshee spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Kretz moved the adoption of amendment (088):

On page 16, line 26, after "taxable" strike "as open space land" and insert "at one hundred percent of its true and fair value"

On page 16, beginning on line 27 strike "84.34" and insert "84.40"

On page 16, line 29, after "owned." strike all material through "chapter 84.34 RCW." on page 16, line 31

On page 17, line 6, after "taxable" strike "as open space land" and insert "at one hundred percent of its true and fair value"

On page 17, beginning on line 7 strike "84.34" and insert "84.40"

On page 17, line 9, after "owned." strike all material through "chapter 84.34 RCW." on page 17, line 11

On page 24, line 21, after "equal to" strike all material through "chapter 84.34" on page 24, line 22 and insert "((that amount paid on similar parcels of open space land taxable under chapter 84.34)) one hundred percent of its true and fair value under chapter 84.40"

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

Representative Dunshee spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Clements moved the adoption of amendment (166):

On page 25, after line 18, insert:

"NEW SECTION. Sec. 16. A new section is added to Chapter 79A.15 RCW to read as follows:

Any lands purchased under this chapter shall be subject to all existing school levies and bonds in effect at the time of the acquisition of the property, and shall continue to pay such school levies and bonds in perpetuity."

On page 25, line 19, after "14" insert "and section 16"

Renumber remaining sections accordingly, correct any internal references, and correct the title.

Representatives Clements, Sump, Tom, spoke in favor of the adoption of the amendment.

Representative Dunshee spoke against the adoption of the amendment.

An electronic roll call vote was demanded and the demand was sustained.

The Speaker (Representative Lovick presiding) stated the question before the House to be adoption of amendment (166) to Substitute House Bill No. 1413.

## ROLL CALL

The Clerk called the roll on the adoption of amendment (166) to Substitute House Bill No. 1413, and the amendment was not adopted by the following vote: Yeas - 41, Nays - 55, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Buri, Campbell, Chandler, Clements, Condotta, Crouse, Curtis, DeBolt, Dunn, Ericksen, Haler, Hankins, Hinkle, Holmquist, Jarrett, Kretz, Kristiansen, Linville, McCune, McDonald, Newhouse, Nixon, Orcutt, Pearson, Priest, Rodne, Schindler, Serben, Shabro, Skinner, Strow, Sump, Talcott, Tom, Walsh and Woods - 41.

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

Excused: Representatives Buck and Roach - 2.

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

Representatives Dunshee and Jarrett spoke in favor of passage of the bill.

Representative Sump spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1413.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1413 and the bill passed the House by the following vote: Yeas - 63, Nays - 33, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appleton, Blake, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Nixon, O'Brien, Ormsby, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schual-Berke, Sells, Simpson, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Takko, Tom, Upthegrove, Wallace, Williams, Wood and Mr. Speaker - 63.

Voting nay: Representatives Ahern, Alexander, Armstrong, Bailey, Buri, Campbell, Chandler, Clements, Condotta, Cox, Crouse, Curtis, DeBolt, Dunn, Haler, Hankins, Hinkle, Holmquist, Kretz, Kristiansen, McCune, McDonald, Newhouse, Orcutt, Pearson, Schindler, Serben, Shabro, Skinner, Sump, Talcott, Walsh and Woods - 33.

Excused: Representatives Buck and Roach - 2.

SUBSTITUTE HOUSE BILL NO. 1413, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1494, By Representatives Morrell, Clibborn, Green, Kessler, Cody, Appleton, Darneille, Williams, Campbell, Lovick, Simpson, Hunt, Chase, Wood, Sells, Roberts, Kenney, McIntire, Hasegawa, Santos, Moeller and Schual-Berke**

**Improving the delivery of health care services to school children.**

The bill was read the second time.

Representative Cody moved that Substitute House Bill No. 1494 be substituted for House Bill No. 1494 and the substitute bill be placed on the second reading calendar. Representative Cody spoke in favor of the motion. The motion was adopted.

SUBSTITUTE HOUSE BILL NO. 1494 was read the second time.

Representative Schual-Berke moved the adoption of amendment (089):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that schools are increasingly required to play an expanding role in protecting our children's health. Schools are responsible for monitoring the immunization of children, evaluating children's hearing and vision, and screening for scoliosis. Chronically ill children often require medically ordered treatment to enable them to attend school. Medication is often required to be given to children during the school day. Schools are also responsible for identifying and reporting child abuse, identifying drug and alcohol problems, treating emergencies, providing counseling and assistance for teenage parents, and providing AIDS, human growth and development, and personal safety education. Schools are asked to coordinate with families and community services to manage students with significant health problems and to make referrals to appropriate community services. Schools are required to abide by rules of confidentiality and to properly maintain health care records. The legislature finds that additional school nurses with the appropriate expertise are needed in our schools to play a pivotal role in improving the health and educational success of the school-age child.

**NEW SECTION. Sec. 2.** (1) The office of superintendent of public instruction and the department of health shall collaborate and develop a work group to assess school nursing services in class I school districts. The work group shall consult with representatives from the following groups: School nurses, schools, students, parents, teachers, health officials, and administrators.

(2) The work group shall:

(a) Study the need for additional school nursing services by gathering data about current school nurse-to-student ratios in each class I school district and assessing the demand for school nursing services by acuity levels and the necessary skills to meet those demands. The work group also shall recommend to the legislature best practices in school nursing services, including a dedicated, sustainable funding model that would best meet the current and future needs of Washington's schools and contribute to greater academic success of all students. The work group shall make recommendations for a school nurse-to-student ratio, and may examine school nurse-to-student ratios by grade level. The work group shall assess whether funding for school nurses should continue as part of basic education; and

(b) In collaboration with managed care plans that contract with the department of social and health services medical assistance administration to provide health services to children participating in the medicaid and state children's health insurance program, identify opportunities to improve coordination of and access to health services for low-income children through the use of school nurse services. The work group shall evaluate the feasibility of pooling school district and managed care plan funding to finance school nurse positions in school districts with high numbers of low-income children.

(3) As used in this section, "school nurse" means a person who:

(a) Holds a bachelor of science degree in nursing, including training in public health nursing;

(b) Holds a valid license as a registered nurse (RN) in Washington state; and

(c) Is certified as an educational staff associate under the requirements established by the office of superintendent of public instruction.

(4) The office of superintendent of public instruction shall report its findings and plans for implementation to the legislature by February 1, 2006.

(5) This section expires June 30, 2006.

**NEW SECTION. Sec. 3.** The school nurse account is created in the custody of the state treasurer. All receipts from gifts, grants, or endowments obtained under section 4 of this act must be deposited into the account.

Expenditures from the account may be used only to increase the school nurse-to-student ratios in class I school districts. School districts with more than one thousand five hundred students for every school nurse shall receive

priority for these funds. As used in this section, "school nurse" does not include nurses in the school nurse corps.

Only the superintendent of public instruction or the superintendent's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

**NEW SECTION. Sec. 4.** The office of the superintendent of public instruction may receive gifts, grants, or endowments from public or private sources that are made from time to time, in trust or otherwise, for the use and benefit of the purposes of section 3 of this act and spend gifts, grants, or endowments or income from the public or private sources to support the purpose in section 3 of this act, unless the receipt of the gifts, grants, or endowments violates RCW 42.17.710.

**NEW SECTION. Sec. 5.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2005, in the omnibus appropriations act, this act is null and void."

Correct the title accordingly.

Representative Bailey moved the adoption of amendment (128) to amendment (089):

On page 2, line 2 of the amendment, strike "current school nurse to student ratios in each" and insert "the prevalence of chronic diseases and life threatening conditions among students in"

On page 2, line 10 of the amendment, strike "a school nurse to student ratio, and may examine school nurse-to-student ratios by grade level." and insert "meeting the needs of students with chronic diseases and life threatening conditions."

On page 3, line 3 of the amendment, strike "increase the school nurse-to-student ratios" and insert "provide appropriate school nursing services for students with chronic diseases and life threatening conditions"

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

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

The amendment to the amendment was not adopted.

Representative Bailey moved the adoption of amendment (149) to amendment (089):

On page 2, line 2 of the amendment, after "school" strike "nurse-to-student ratios" and insert "nursing services"

On page 2, line 10 of the amendment, after "for" strike "a school nurse-to-student ratio" and insert "school nursing services"

On page 2, line 11 of the amendment, after "examine" strike "school nurse-to-student ratios" and insert "nursing services"

On page 2, line 19 of the amendment, after "children" insert "and children with chronic diseases and life threatening conditions"

On page 2, line 23 of the amendment, after "children" insert "and children with chronic diseases and life threatening conditions"

On page 3, line 4 of the amendment, after "school" strike "nurse-to-student ratios" and insert "nursing services"

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

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

The amendment to the amendment was not adopted.

Representative Morrell moved the adoption of amendment (164) to amendment (089):

On page 2, line 10 of the amendment, after "for" strike "a school nurse-to-student ratio" and insert "school nursing services"

On page 2, line 11 of the amendment, after "school" strike "nurse-to-student ratios" and insert "nursing services"

On page 3, at the beginning of line 4 of the amendment, strike "school nurse-to-student ratios" and insert "nursing services"

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

The amendment was adopted.

The amendment (089) as amended 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 Schual-Berke, Bailey and Morrell spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1494.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1494 and the bill passed the House by the following vote: Yeas - 75, Nays - 21, Absent - 0, Excused - 2.

Voting yea: Representatives Alexander, Anderson, Appleton, Bailey, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, DeBolt, Dickerson, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Nixon, O'Brien, Ormsby, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schual-Berke, Sells, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Takko, Talcott, Tom, Upthegrove,

Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 75.

Voting nay: Representatives Ahern, Armstrong, Buri, Chandler, Clements, Condotta, Cox, Crouse, Curtis, Dunn, Hinkle, Holmquist, Kretz, Kristiansen, McDonald, Newhouse, Orcutt, Pearson, Schindler, Serben and Sump - 21.

Excused: Representatives Buck and Roach - 2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1494, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1561, By Representatives Appleton, Roach, Santos, Kirby, Schual-Berke, Condotta, Williams and Chase**

**Prohibiting discrimination in life insurance based on lawful travel destinations.**

The bill was read the second time.

Representative Serben moved the adoption of amendment (151):

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** A new section is added to chapter 48.18 RCW to read as follows:

(1) No life insurer may deny or refuse to accept an application for insurance, or refuse to insure, refuse to renew, cancel, restrict, or otherwise terminate a policy of insurance, or charge a different rate for the same coverage, based upon the applicant's or insured person's past or future lawful travel destinations.

(2) Nothing in this section prohibits a life insurer from excluding or limiting coverage of specific lawful travel, or charging a differential rate for such coverage, when bona fide statistical differences in risk or exposure have been substantiated. A risk or exposure is substantiated when the insurer demonstrates risk or exposure greater than in all other countries where the insurer does not exclude or limit coverage."

Correct the title.

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

The amendment 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 Appleton, Hudgins and Serben spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1561.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed House Bill No. 1561 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, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Buck, and Roach - 2.

ENGROSSED HOUSE BILL NO. 1561, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1034, By Representatives Kirby, Roach and Simpson; by request of Insurance Commissioner**

**Conducting the administrative supervision of financially distressed insurers.**

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 Kirby and Tom 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. 1034.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1034 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, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan,

Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Buck and Roach - 2.

HOUSE BILL NO. 1034, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1035, By Representatives Kirby, Roach, Simpson and Schual-Berke; by request of Insurance Commissioner**

**Providing confidentiality to certain insurance commissioner examinations.**

The bill was read the second time.

Representative Kirby moved that Substitute House Bill No. 1035 be substituted for House Bill No. 1035 and the substitute bill be placed on the second reading calendar. Representative Kirby spoke in favor of the motion. The motion was adopted.

SUBSTITUTE HOUSE BILL NO. 1035 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 Kirby 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. 1035.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1035 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, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa,

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

Excused: Representatives Buck and Roach - 2.

SUBSTITUTE HOUSE BILL NO. 1035, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1150, By Representatives Kirby, Campbell, Simpson and Murray**

**Changing provisions relating to dangerous dogs.**

The bill was read the second time.

Representative Lantz moved that Substitute House Bill No. 1150 be substituted for House Bill No. 1150 and the substitute bill be placed on the second reading calendar. Representative Lantz spoke in favor of the motion. The motion was adopted.

SUBSTITUTE HOUSE BILL NO. 1150 was read the second time.

Representative Tom moved the adoption of amendment (163):

On page 4, line 19, after "least" strike everything through "thousand" and insert "~~((two hundred fifty thousand))~~ one million"

On page 4, line 23, after "least" strike everything through "thousand" and insert "~~((two hundred fifty thousand))~~ one million"

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

Representative Lantz spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Campbell moved the adoption of amendment (148):

Beginning on page 2, line 29, strike all of section 2

Renumber the remaining section consecutively and correct the title.

Representatives Campbell and Lantz moved the adoption of the amendment.

The amendment 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 Kirby, Serben and Campbell spoke in favor of passage of the bill.

Representative Tom 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 House Bill No. 1150.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1150 and the bill passed the House by the following vote: Yeas - 84, Nays - 12, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Blake, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, 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, Roberts, Santos, Schindler, Schual-Berke, Sells, Serben, Simpson, Skinner, Sommers, Springer, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Upthegrove, Wallace, Walsh, Williams, Wood and Mr. Speaker - 84.

Voting nay: Representatives Anderson, Bailey, Buri, Cox, Hunter, Jarrett, Quall, Rodne, Shabro, Strow, Tom and Woods - 12.

Excused: Representatives Buck and Roach - 2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1150, having received the necessary constitutional majority, was declared passed.

### STATEMENT FOR THE JOURNAL

I intended to vote YEA on ENGROSSED SUBSTITUTE HOUSE BILL NO. 1150.

GLENN ANDERSON, 5th District

**HOUSE BILL NO. 1159, By Representatives Kirby and Priest**

**Limiting liability for persons working with liquefied petroleum gas.**

The bill was read the second time.

Representative Lantz moved that Substitute House Bill No. 1159 be substituted for House Bill No. 1159 and the substitute bill be placed on the second reading calendar. Representative Lantz spoke in favor of the motion. The motion was adopted.

SUBSTITUTE HOUSE BILL NO. 1159 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 Kirby and Priest 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. 1159.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1159 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, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Buck and Roach - 2.

SUBSTITUTE HOUSE BILL NO. 1159, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1182, By Representatives Springer, Green and Ormsby; by request of State Treasurer**

**Making payments under certain bond authorization acts.**

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 Springer and Newhouse 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. 1182.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1182 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

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

Excused: Representatives Buck and Roach - 2.

HOUSE BILL NO. 1182, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1189, By Representatives Moeller, Bailey, McCoy, Armstrong, Williams, Newhouse, Fromhold, Springer, Ericks, Flannigan, Curtis, Cody, Condotta, Appleton, Hinkle, Morrell, Campbell, Pearson, Chase, Dickerson, Linville, Woods, Kenney, O'Brien, Conway, Lantz, Sells, Kagi, Ormsby, Haigh, Upthegrove, Hasegawa and Kilmer**

**Providing relief for indigent veterans and their families.**

The bill was read the second time.

Representative Simpson moved that Substitute House Bill No. 1189 be substituted for House Bill No. 1189 and the substitute bill be placed on the second reading calendar. Representative Simpson spoke in favor of the motion. The motion was adopted.

SUBSTITUTE HOUSE BILL NO. 1189 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 Moeller, Campbell, Hinkle, Morrell, Takko, Curtis and Sump spoke in favor of passage of the bill.

Representative 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 Substitute House Bill No. 1189.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1189 and the bill passed the House by the following vote: Yeas - 90, Nays - 6, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Anderson, Appleton, Armstrong, Bailey, Blake, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Crouse, Curtis, Darneille, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood and Mr. Speaker - 90.

Voting nay: Representatives Alexander, Cox, DeBolt, Orcutt, Schindler and Woods - 6.

Excused: Representatives Buck and Roach - 2.

SUBSTITUTE HOUSE BILL NO. 1189, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1211, By Representatives Blake, B. Sullivan, Buck, Kretz, Eickmeyer and Armstrong; by request of Department of Fish and Wildlife**

**Concerning a multiple season big game permit.**

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1211.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1211 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, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Buck and Roach - 2.

HOUSE BILL NO. 1211, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1345, By Representatives Hasegawa, Kenney, Takko, Sells, Jarrett, Roberts, Ericks, Haler, Williams, Moeller, Appleton, Morrell, McCoy, Dunn, Kagi, McDermott, Santos and Chase**

**Allowing state financial aid for part-time students.**

The bill was read the second time.

Representative Sommers moved that Substitute House Bill No. 1345 be substituted for House Bill No. 1345 and the substitute bill be placed on the second reading calendar. Representative Sommers spoke in favor of the motion. The motion was adopted.

SUBSTITUTE HOUSE BILL NO. 1345 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 Hasegawa, Dunn and Eickmeyer 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. 1345.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1345 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, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Buck and Roach - 2.

SUBSTITUTE HOUSE BILL NO. 1345, having received the necessary constitutional majority, was declared passed.

### POINT OF PERSONAL PRIVILEGE

Representative Hudgins congratulated Representative Hasegawa on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

The Speaker assumed the chair.

**HOUSE BILL NO. 1379, By Representatives Grant, Armstrong, Springer, Hinkle, Fromhold, Walsh, Upthegrove, Bailey, Clibborn, Chase and Simpson**

**Requiring the liquor control board to implement a retail business plan to improve efficiency and increase revenue.**

The bill was read the second time.

Representative Sommers moved that Substitute House Bill No. 1379 be substituted for House Bill No. 1379 and the substitute bill be placed on the second reading calendar. Representative Sommers spoke in favor of the motion. The motion was adopted.

SUBSTITUTE HOUSE BILL NO. 1379 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 Grant, Conway and Armstrong spoke in favor of passage of the bill.

Representatives Woods and Condotta spoke against the passage of the bill.

### COLLOQUY

Representative Condotta: "Is it the intention that under this bill liquor store employees working in the stores on Sunday be paid overtime?"

Representative Conway: "Yes it is. That is shown in the fiscal note prepared by the Liquor Control Board for House Bill No. 1379 where it is stated on page 2 that in accordance with their respective Collective Bargaining Agreements employees will each receive overtime pay for the hours worked."

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1379.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1379 and the bill passed the House by the following vote: Yeas - 62, Nays - 34, Absent - 0, Excused - 2.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Blake, Chase, Clibborn, Cody, Conway, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Lovick, McCoy, McDermott, McIntire, Moeller, Morris, Murray, Nixon, O'Brien, Ormsby, Pettigrew, Roberts, Rodne, Santos, Schual-Berke, Sells, Serben, Simpson, Sommers, Springer, Sullivan, B., Takko, Tom, Upthegrove, Walsh, Williams, Wood and Mr. Speaker - 62.

Voting nay: Representatives Ahern, Bailey, Buri, Campbell, Chandler, Clements, Condotta, Cox, Crouse, Ericksen, Hankins, Holmquist, Kretz, Kristiansen, Lantz, Linville, McCune, McDonald, Miloscia, Morrell, Newhouse, Orcutt, Pearson, Priest, Quall, Schindler, Shabro, Skinner, Strow, Sullivan, P., Sump, Talcott, Wallace and Woods - 34.

Excused: Representatives Buck and Roach - 2.

SUBSTITUTE HOUSE BILL NO. 1379, having received the necessary constitutional majority, was declared passed.

### STATEMENT FOR THE JOURNAL

I intended to vote NAY on SUBSTITUTE HOUSE BILL NO. 1379.

JIM DUNN, 17<sup>th</sup> District

**HOUSE BILL NO. 1384, By Representatives Haler, B. Sullivan, Morris, Crouse, P. Sullivan, Chase and Hudgins**

**Authorizing the construction and operation of renewable energy projects by joint operating agencies.**

The bill was read the second time.

Representative Morris moved that Substitute House Bill No. 1384 be substituted for House Bill No. 1384 and the substitute bill be placed on the second reading calendar. Representative Morris spoke in favor of the motion. The motion was adopted.

SUBSTITUTE HOUSE BILL NO. 1384 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 Haler and Morris 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. 1384.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1384 and the bill passed the House by the following vote: Yeas - 86, Nays - 10, Absent - 0, Excused - 2.

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

Voting nay: Representatives Ahern, Armstrong, Buri, Condotta, Haigh, Hinkle, Holmquist, Newhouse, Orcutt and Serben - 10.

Excused: Representatives Buck and Roach - 2.

SUBSTITUTE HOUSE BILL NO. 1384, having received the necessary constitutional majority, was declared passed.

**STATEMENT FOR THE JOURNAL**

I intended to vote NAY on SUBSTITUTE HOUSE BILL NO. 1384.

JIM DUNN, 17<sup>th</sup> District

**SIGNED BY THE SPEAKER**

The Speaker signed:

SENATE BILL NO. 5957

**HOUSE BILL NO. 1393, By Representatives Buri, Grant, Cox, B. Sullivan, Condotta, Dunshee and Chase**

**Regulating movement of older mobile homes.**

The bill was read the second time.

Representative Fromhold moved that Substitute House Bill No. 1393 be substituted for House Bill No. 1393 and the substitute bill be placed on the second reading calendar. Representative Fromhold spoke in favor of the motion. The motion was adopted.

SUBSTITUTE HOUSE BILL NO. 1393 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 Buri and Grant 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. 1393.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1393 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, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan,

Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Buck and Roach - 2.

SUBSTITUTE HOUSE BILL NO. 1393, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1401, By Representatives Simpson, Hankins, O'Brien, Ormsby and Chase**

**Requiring certain buildings to add automatic sprinkler systems.**

The bill was read the second time.

Representative Simpson moved that Substitute House Bill No. 1401 be substituted for House Bill No. 1401 and the substitute bill be placed on the second reading calendar. Representative Simpson spoke in favor of the motion. The motion was adopted.

SUBSTITUTE HOUSE BILL NO. 1401 was read the second time.

With the consent of the House, amendments (133) and (134) were withdrawn.

Representative Simpson moved the adoption of amendment (171):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 19.27 RCW to read as follows:

The building code council shall adopt rules by December 1, 2005, requiring that all nightclubs be provided with an automatic sprinkler system. Rules adopted by the council shall consider applicable nationally recognized fire and building code standards and local conditions.

By December 15, 2005, the council shall transmit to the fire protection policy board copies of the rules as adopted. The fire protection policy board shall respond to the council by February 15, 2006. If changes are recommended by the fire protection policy board the council shall immediately consider those changes to the rules through its rule-making procedures. The rules shall be effective December 1, 2007.

NEW SECTION. Sec. 2. A new section is added to chapter 19.27 RCW to read as follows:

As used in this chapter:

"Nightclub" means an establishment, other than a theater with fixed seating, which is characterized by all of the following:

(1) Provides live entertainment by paid performing artists or by way of recorded music conducted by a person employed or engaged to do so;

(2) Has as its primary source of revenue (a) the sale of beverages of any kind for consumption on the premises, (b) cover charges, or (c) both; and

(3) Has an occupant load of one hundred or more where the occupant load for any portion of the occupancy is calculated at one person per ten square feet or less, excluding the entry foyer.

**NEW SECTION. Sec. 3.** A new section is added to chapter 19.27 RCW to read as follows:

No building shall be constructed for, used for, or converted to, occupancy as a nightclub except in accordance with this chapter.

**NEW SECTION. Sec. 4.** A new section is added to chapter 84.36 RCW to read as follows:

(1) Prior to installation of an automatic sprinkler system under sections 1 through 3 of this act, an owner of property may apply to the assessor of the county in which the property is located for a special property tax exemption. This application shall be made upon forms prescribed by the department of revenue and supplied by the county assessor.

(2) As used in this chapter, "special property tax exemption" means the determination of the assessed value of the property subtracting, for ten years, the increase in value attributable to the installation of an automatic sprinkler system under sections 1 through 3 of this act.

(3) The county assessor shall, for ten consecutive assessment years following the calendar year in which application is made, place a special property tax exemption on property classified as eligible."

Correct the title.

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

The amendment 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 Simpson and Schindler spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1401.

#### **ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1401 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, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz,

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

Excused: Representatives Buck and Roach - 2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1401, having received the necessary constitutional majority, was declared passed.

#### **HOUSE BILL NO. 1428, By Representatives Condotta, Pettigrew, Dunn, Linville and Chase**

#### **Authorizing the economic development finance authority to continue issuing bonds.**

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 Condotta, Pettigrew 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 House Bill No. 1428.

#### **ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1428 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, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Buck and Roach - 2.

HOUSE BILL NO. 1428, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1432, By Representatives Fromhold, Conway, Cox, Haigh, Campbell, Strow, Hunt, Ormsby, Moeller, Morrell, O'Brien, Chase and Hasegawa**

**Avoiding fragmentation in bargaining units for classified school employees.**

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 Fromhold, Condotta and DeBolt 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. 1432.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1432 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, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Buck and Roach - 2.

HOUSE BILL NO. 1432, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1462, By Representatives Linville, Buri, Pettigrew and Chase; by request of Conservation Commission**

**Funding conservation districts.**

The bill was read the second time.

Representative Sommers moved that Substitute House Bill No. 1462 be substituted for House Bill No. 1462 and the substitute bill be placed on the second reading calendar. Representative Sommers spoke in favor of the motion. The motion was adopted.

SUBSTITUTE HOUSE BILL NO. 1462 was read the second time.

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

Representatives Linville and Buri 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. 1462.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1462, 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, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Buck and Roach - 2.

SUBSTITUTE HOUSE BILL NO. 1462, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1478, By Representatives Kagi, O'Brien, Simpson, Morrell, Lovick, Kenney, P. Sullivan, Nixon and Chase**

**Increasing penalties for failure to secure a vehicle load on a public highway.**

The bill was read the second time.

Representative Fromhold moved that Substitute House Bill No. 1478 be substituted for House Bill No. 1478 and the substitute bill be placed on the second reading calendar. Representative Fromhold spoke in favor of the motion. The motion was adopted.

SUBSTITUTE HOUSE BILL NO. 1478 was read the second time.

Representative Pearson moved the adoption of amendment (159):

On page 2, line 32, after "another" insert "exceeding five hundred dollars"

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

Representative O'Brien 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 Kagi and Pearson 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. 1478.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1478 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, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Buck and Roach - 2.

SUBSTITUTE HOUSE BILL NO. 1478, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1495, By Representatives McCoy, Roach, Simpson, P. Sullivan, McDermott, Santos, Appleton, Darneille, Williams, Hunt, Haigh, Chase, Sells, Conway, Kenney, Kagi, Moeller, Ormsby and Blake**

**Requiring that Washington's tribal history be taught in the common schools.**

The bill was read the second time.

Representative Quall moved that Substitute House Bill No. 1495 be substituted for House Bill No. 1495 and the substitute bill be placed on the second reading calendar. Representative Quall spoke in favor of the motion. The motion was adopted.

SUBSTITUTE HOUSE BILL NO. 1495 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 McCoy, Talcott, Hunter, Dunn and Quall 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. 1495.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1495 and the bill passed the House by the following vote: Yeas - 78, Nays - 18, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Anderson, Appleton, Bailey, Blake, Campbell, Chase, Clements, Clibborn, Cody, Conway, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Ormsby, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Takko, Talcott, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 78.

Voting nay: Representatives Alexander, Armstrong, Buri, Chandler, Condotta, Cox, Crouse, Curtis, Hinkle, Holmquist, Kretz, Kristiansen, McDonald, Orcutt, Pearson, Schindler, Sump and Tom - 18.

Excused: Representatives Buck and Roach - 2.

SUBSTITUTE HOUSE BILL NO. 1495, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1516, By Representatives Schual-Berke, Tom, Kagi, Hankins, Haler, Cody, Priest, Campbell, Kessler, Dunshee, Clibborn, Wallace, Dickerson, Linville, Fromhold, Hunter, Green, Morrell, Darneille, McDermott, Simpson, Chase, O'Brien, Sells, Roberts, Kilmer, Moeller and Ormsby**

**Increasing access to health services for children through the "kids get care" service delivery model.**

The bill was read the second time.

Representative Sommers moved that Second Substitute House Bill No. 1516 be substituted for House Bill No. 1516 and the second substitute bill be placed on the second reading calendar. Representative Sommers spoke in favor of the motion. The motion was adopted.

SECOND SUBSTITUTE HOUSE BILL NO. 1516 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 Schual-Berke and Bailey spoke in favor of passage of the bill.

Representative Alexander 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 House Bill No. 1516.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1516 and the bill passed the House by the following vote: Yeas - 70, Nays - 26, Absent - 0, Excused - 2.

Voting yea: Representatives Appleton, Bailey, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, O'Brien, Ormsby, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schual-Berke, Sells, Simpson, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Takko, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 70.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Buri, Chandler, Clements, Condotta, Cox, Crouse, Curtis, DeBolt, Dunn, Holmquist, Kretz, Kristiansen, Newhouse, Nixon, Orcutt, Pearson, Schindler, Serben, Shabro, Skinner, Sump and Talcott - 26.

Excused: Representatives Buck and Roach - 2.

SECOND SUBSTITUTE HOUSE BILL NO. 1516, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1569, By Representatives Morrell, Clibborn, Skinner, Schual-Berke, Green, Moeller, Cody, Curtis, Condotta, Chase, O'Brien and Kenney**

**Regarding quality assurance in boarding homes, nursing homes, hospitals, peer review organizations, and coordinated quality improvement plans.**

The bill was read the second time.

Representative Cody moved that Substitute House Bill No. 1569 be substituted for House Bill No. 1569 and the substitute bill be placed on the second reading calendar. Representative Cody spoke in favor of the motion. The motion was adopted.

SUBSTITUTE HOUSE BILL NO. 1569 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 Morrell and Bailey spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1569.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1569 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, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray,

Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Buck and Roach - 2.

SUBSTITUTE HOUSE BILL NO. 1569, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1606, By Representatives Green, Skinner, Cody, Bailey, Clibborn, Williams, Morrell and Schual-Berke**

**Providing for fairness in the informal dispute resolution process.**

The bill was read the second time.

Representative Cody moved that Substitute House Bill No. 1606 be substituted for House Bill No. 1606 and the substitute bill be placed on the second reading calendar. Representative Cody spoke in favor of the motion. The motion was adopted.

SUBSTITUTE HOUSE BILL NO. 1606 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 Bailey spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1606.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1606 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, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson,

Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Buck and Roach - 2.

SUBSTITUTE HOUSE BILL NO. 1606, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1687, By Representatives Moeller, Talcott, O'Brien, Ericks, Lovick, Tom, Roberts, Appleton, Kagi, Hunter and Chase**

**Revising provisions concerning possession of firearms by persons found not guilty by reason of insanity.**

The bill was read the second time.

Representative Lantz moved that Substitute House Bill No. 1687 be substituted for House Bill No. 1687 and the substitute bill be placed on the second reading calendar. Representative Lantz spoke in favor of the motion. The motion was adopted.

SUBSTITUTE HOUSE BILL NO. 1687 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 Lantz 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. 1687.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1687 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, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler,

Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Buck and Roach - 2.

SUBSTITUTE HOUSE BILL NO. 1687, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1721, By Representatives Hunter, Orcutt and McIntire**

**Simplifying the concurrent taxing jurisdictions of the tribal municipalities and the state.**

The bill was read the second time.

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

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1721.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1721 and the bill passed the House by the following vote: Yeas - 93, Nays - 3, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 93.

Voting nay: Representatives Ericksen, Kristiansen and Pearson - 3.

Excused: Representatives Buck and Roach - 2.

HOUSE BILL NO. 1721, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1739, By Representative Ericksen**

**Modifying snowmobile registration.**

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 Ericksen and B. Sullivan spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1739.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1739 and the bill passed the House by the following vote: Yeas - 94, Nays - 2, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 94.

Voting nay: Representatives Darneille and Roberts - 2.

Excused: Representatives Buck and Roach - 2.

HOUSE BILL NO. 1739, having received the necessary constitutional majority, was declared passed.

There being no objection, HOUSE BILL NO. 2090 was referred to the Rules Committee.

There being no objection, the Rules Committee was relieved of the following bills, which were placed on second reading:

HOUSE BILL NO. 1031,  
HOUSE BILL NO. 1091,  
HOUSE BILL NO. 1290,  
HOUSE BILL NO. 1314,  
HOUSE BILL NO. 1319,  
HOUSE BILL NO. 1329,  
HOUSE BILL NO. 1341,

HOUSE BILL NO. 1418,  
HOUSE BILL NO. 1419,  
HOUSE BILL NO. 1484,  
HOUSE BILL NO. 1509,  
HOUSE BILL NO. 1771,  
HOUSE BILL NO. 1896,  
HOUSE BILL NO. 2105,  
HOUSE BILL NO. 1903,  
HOUSE BILL NO. 1917,  
HOUSE BILL NO. 1918,  
HOUSE BILL NO. 1966,  
HOUSE BILL NO. 2163,  
HOUSE BILL NO. 2257,  
HOUSE BILL NO. 2259,  
HOUSE JOINT RESOLUTION NO. 4202,

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

There being no objection, the House adjourned until 10:00 a.m., March 10, 2005, the 60th Day of the Regular Session.

FRANK CHOPP, Speaker

RICHARD NAFZIGER, Chief Clerk