

**THIRTY FOURTH DAY**

House Chamber, Olympia, Saturday, February 13, 2010

The House was called to order at 12:30 p.m. by the Speaker (Representative Morris presiding). The Clerk called the roll and a quorum was present.

The Speaker (Representative Morris presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Dave Quall, 40th District.

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

**MESSAGES FROM THE SENATE**

February 12, 2010

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 6350  
SUBSTITUTE SENATE BILL NO. 6373  
SUBSTITUTE SENATE BILL NO. 6557  
SUBSTITUTE SENATE BILL NO. 6611  
SUBSTITUTE SENATE BILL NO. 6692  
SENATE BILL NO. 6720  
SUBSTITUTE SENATE BILL NO. 6747

and the same are herewith transmitted.

Thomas Hoemann, Secretary

February 12, 2010

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 6289  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6468  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6603  
ENGROSSED SENATE BILL NO. 6762

and the same are herewith transmitted.

Thomas Hoemann, Secretary

**INTRODUCTIONS AND FIRST READING**

HB 3184 by Representatives Chase, Williams, Hunt, Dickerson, Flannigan and Moeller

AN ACT Relating to increasing estate taxes; amending RCW 83.100.040 and 83.100.230; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 3185 by Representative White

AN ACT Relating to establishing the student financial assistance board by eliminating the higher education coordinating board and transferring its functions to various entities; amending RCW 28B.76.010, 28B.76.020, 28B.76.030, 28B.76.090, 28B.76.110, 28B.76.505,

28B.76.525, 28B.76.560, 28B.76.565, 28B.76.570,  
28B.76.575, 28B.76.605, 28B.76.610, 28B.76.615,  
28B.76.620, 28B.76.645, 28B.76.660, 28B.76.670,  
28B.76.690, 28A.600.120, 28A.600.130, 28A.600.140,  
28A.600.150, 28A.230.125, 28A.600.285, 28A.630.400,  
28A.650.015, 28B.04.080, 28B.07.020, 28B.07.030,  
28B.10.786, 28B.10.790, 28B.10.792, 28B.10.840,  
28B.12.030, 28B.12.040, 28B.12.050, 28B.12.055,  
28B.12.060, 28B.12.070, 28B.15.012, 28B.15.013,  
28B.15.015, 28B.15.100, 28B.15.543, 28B.15.732,  
28B.15.736, 28B.15.752, 28B.15.760, 28B.15.762,  
28B.50.272, 28B.92.020, 28B.95.020, 28B.95.025,  
28B.95.040, 28B.95.060, 28B.95.160, 28B.97.020,  
28B.101.010, 28B.101.030, 28B.101.040, 28B.101.050,  
28B.102.020, 28B.102.030, 28B.105.020, 28B.106.010,  
28B.108.010, 28B.108.020, 28B.108.030, 28B.108.060,  
28B.109.010, 28B.115.020, 28B.115.030, 28B.115.130,  
28B.115.140, 28B.116.010, 28B.116.020, 28B.116.030,  
28B.116.050, 28B.116.060, 28B.116.070, 28B.117.020,  
28B.117.030, 28B.117.040, 28B.117.050, 28B.117.060,  
28B.117.070, 28B.118.010, 28B.118.020, 28B.118.040,  
28B.118.050, 28B.118.060, 28B.119.010, 28B.119.020,  
28B.119.030, 28B.119.050, 28B.120.010, 28B.120.020,  
28B.120.025, 28B.120.030, 28B.120.040, 28B.133.030,  
28B.133.040, 28B.133.050, 28B.135.010, 28B.135.030,  
28B.135.040, 28C.18.166, 39.86.130, 42.17.2401, 43.41.400,  
43.105.800, 43.105.810, 43.105.825, 74.13.570, 28B.76.230,  
28B.76.290, 28B.76.310, 28B.10.020, 28B.10.922,  
28B.15.460, 28B.15.465, 28B.20.130, 28B.20.280,  
28B.30.150, 28B.30.500, 28B.35.120, 28B.35.205,  
28B.35.215, 28B.38.010, 28B.40.120, 28B.40.206,  
28B.45.014, 28B.45.020, 28B.45.030, 28B.45.040,  
28B.45.060, 28B.50.140, 28B.50.810, 28B.65.050,  
28B.110.030, 28B.110.040, 28B.85.010, 28B.85.100,  
28B.90.010, 35.104.020, 35.104.040, 43.06.115, 9A.60.070,  
18.260.110, 28A.230.125, 28A.600.280, 28A.600.290,  
28A.600.310, 28A.600.390, 28A.630.400, 28A.650.015,  
28A.700.020, 28A.700.060, 28B.07.040, 28B.10.056,  
28B.10.125, 28B.10.5691, 28B.10.682, 28B.10.784,  
28B.15.068, 28B.15.069, 28B.15.730, 28B.15.734,  
28B.15.750, 28B.15.754, 28B.15.756, 28B.15.758,  
28B.15.796, 28B.20.308, 28B.20.478, 28B.30.530,  
28B.45.080, 28B.65.040, 28B.67.010, 28B.103.030,  
28B.76.200, 28C.10.030, 28C.10.040, 28C.18.030,  
28C.18.060, 28C.18.132, 28C.18.134, 43.09.440, 43.43.934,  
43.43.938, 43.60A.151, 43.88.090, 43.88D.010, 43.105.400,  
43.215.090, 43.330.310, 43.330.375, 47.80.090, and  
70.180.110; reenacting and amending RCW 28A.660.050,  
28B.50.030, 28B.92.030, 28A.230.100, and 43.330.280;  
adding new sections to chapter 43.41 RCW; adding new  
sections to chapter 28B.10 RCW; creating new sections;  
recodifying RCW 28B.76.290, 28B.76.310, 28B.76.200, and  
28B.76.230; repealing RCW 28B.76.040, 28B.76.050,  
28B.76.060, 28B.76.100, 28B.76.210, 28B.76.240,  
28B.76.2401, 28B.76.250, 28B.76.260, 28B.76.270,

28B.76.280, 28B.76.300, and 28B.76.335; providing an effective date; and providing expiration dates.

Referred to Committee on Higher Education.

HB 3186 by Representatives Pettigrew, Walsh, Williams, Hunt, Green, Dickerson, Kagi, Goodman, Orwall, Liias, Seaquist, White and Appleton

AN ACT Relating to imposing a tax on home and community based services to fund services for seniors and people with disabilities; amending RCW 82.16.020 and 82.16.020; reenacting and amending RCW 82.16.010 and 82.16.010; adding a new section to chapter 82.16 RCW; providing effective dates; and providing an expiration date.

Referred to Committee on Finance.

SSB 5376 by Senate Committee on Higher Education & Workforce Development (originally sponsored by Senators Kauffman, Delvin, Shin, Haugen, Kohl-Welles, McAuliffe and Kline)

AN ACT Relating to encouraging training for medical students, nurses, and medical technicians and assistants to work with adult patients with developmental disabilities; and adding a new section to chapter 28B.76 RCW.

Referred to Committee on Higher Education.

SB 5411 by Senators Kline, Franklin and Carrell

AN ACT Relating to requests for driving record abstracts; and amending RCW 46.52.130.

Referred to Committee on Judiciary.

SSB 5548 by Senate Committee on Transportation (originally sponsored by Senators Haugen, Jarrett, Fraser and Shin)

AN ACT Relating to expanding certain public facilities eligible to be credited against the imposition of impact fees; and amending RCW 82.02.090.

Referred to Committee on Local Government & Housing.

ESSB 5555 by Senate Committee on Higher Education & Workforce Development (originally sponsored by Senators Kilmer, Shin, King, Marr, Jarrett, McAuliffe, Hobbs, Tom and Kohl-Welles)

AN ACT Relating to lifelong learning accounts; adding new sections to chapter 28C.18 RCW; and creating a new section.

Referred to Committee on Higher Education.

SSB 5780 by Senate Committee on Transportation (originally sponsored by Senators Tom and Brandland)

AN ACT Relating to establishing chapter 46.55 RCW as the exclusive remedy for certain claims resulting from the impoundment of a motor vehicle; amending RCW 46.55.120; and creating a new section.

Referred to Committee on Judiciary.

SSB 6205 by Senate Committee on Transportation (originally sponsored by Senators Haugen and Shin)

AN ACT Relating to portions of state highways better served by merged fire districts under certain circumstances; amending RCW 47.48.031 and 52.06.090; and creating a new section.

Referred to Committee on Local Government & Housing.

SSB 6208 by Senate Committee on Transportation (originally sponsored by Senators Haugen, Hatfield and Shin)

AN ACT Relating to temporary agricultural directional signs; and amending RCW 47.42.020 and 47.42.120.

Referred to Committee on Transportation.

SB 6209 by Senators Haugen, Berkey, Marr, Shin and Sheldon

AN ACT Relating to allowing moneys paid to county road funds to be used for park and ride lots; and amending RCW 36.82.070.

Referred to Committee on Transportation.

SSB 6217 by Senate Committee on Transportation (originally sponsored by Senator Rockefeller)

AN ACT Relating to retroactively applying certain intermediate license law amendments made during the 2009 legislative session; creating a new section; and declaring an emergency.

Referred to Committee on Transportation.

SSB 6224 by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Becker and Gordon)

AN ACT Relating to conforming the uniform controlled substances act to existing state and federal law; and amending RCW 69.50.101, 69.50.204, 69.50.206, 69.50.208, 69.50.210, 69.50.212, and 69.50.402.

Referred to Committee on Health Care & Wellness.

SSB 6239 by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Kohl-Welles, Gordon and Fraser)

AN ACT Relating to making technical corrections to gender-based terms; amending RCW 10.01.050, 10.01.060, 10.01.120, 10.01.140, 10.01.150, 10.01.180, 10.04.110, 10.10.060, 10.16.080, 10.16.110, 10.16.145, 10.16.150, 10.19.040, 10.19.060, 10.22.010, 10.22.020, 10.25.070, 10.27.060, 10.27.070, 10.27.080, 10.27.090, 10.27.100, 10.27.120, 10.27.130, 10.27.140, 10.27.150, 10.29.050, 10.29.110, 10.31.030, 10.31.040, 10.31.050, 10.31.060, 10.34.010, 10.34.020, 10.34.030, 10.37.040, 10.37.050, 10.40.050, 10.40.060, 10.40.140, 10.40.170, 10.43.040, 10.43.050, 10.46.060, 10.46.110, 10.46.200, 10.46.220, 10.52.060, 10.52.090, 10.55.020, 10.55.060, 10.55.100, 10.58.020, 10.58.030, 10.61.006, 10.64.060, 10.64.070, 10.70.010, 10.70.020, 10.73.040, 10.79.020, 10.79.040, 10.79.050, 10.82.030, 10.82.040, 10.88.210, 10.88.220,

10.88.230, 10.88.240, 10.88.260, 10.88.270, 10.88.290, 46.29.190, 46.29.230, 46.29.290, 46.29.310, 46.29.360,  
 10.88.300, 10.88.310, 10.88.320, 10.88.330, 10.88.340, 46.29.450, 46.29.470, 46.29.490, 46.29.510, 46.29.540,  
 10.88.350, 10.88.360, 10.88.370, 10.88.380, 10.88.390, 46.29.550, 46.29.560, 46.29.570, 46.29.600, 46.32.010,  
 10.88.400, 10.88.410, 10.88.420, 10.88.430, 10.88.450, 46.32.020, 46.37.380, 46.37.423, 46.37.424, 46.37.550,  
 10.89.020, 10.91.010, 10.91.020, 10.91.030, 10.91.050, 46.37.560, 46.37.590, 46.44.047, 46.52.050, 46.52.070,  
 10.97.080, 10.97.110, 10.97.120, 11.04.015, 11.04.035, 46.55.030, 46.55.085, 46.55.200, 46.55.240, 46.61.024,  
 11.04.041, 11.04.085, 11.04.250, 11.08.111, 11.08.180, 46.61.035, 46.61.202, 46.61.255, 46.61.350, 46.61.385,  
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 11.12.170, 11.12.190, 11.20.010, 11.20.020, 11.28.110, 46.61.765, 46.63.020, 46.65.020, 46.65.080, 46.65.100,  
 11.28.190, 11.28.230, 11.28.250, 11.28.290, 11.28.300, 46.68.080, 46.70.075, 46.70.102, 46.70.111, 46.70.190,  
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 11.48.120, 11.48.140, 11.48.160, 11.48.180, 11.48.200, 46.87.360, 46.96.150, 47.01.070, 47.10.150, 47.12.023,  
 11.48.210, 11.56.040, 11.56.045, 11.56.070, 11.56.100, 47.12.160, 47.12.230, 47.12.283, 47.26.150, 47.26.4254,  
 11.56.110, 11.56.180, 11.56.210, 11.56.230, 11.60.040, 47.28.080, 47.32.060, 47.32.070, 47.32.090, 47.36.110,  
 11.60.060, 11.64.008, 11.64.030, 11.66.010, 11.68.070, 47.36.200, 47.41.040, 47.42.080, 47.42.103, 47.52.150,  
 11.68.100, 11.68.120, 11.72.002, 11.76.010, 11.76.030, 47.52.170, 47.60.310, 47.64.130, 47.64.250, 47.68.330,  
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 11.76.110, 11.76.150, 11.76.160, 11.76.170, 11.76.190, 48.34.100, 48.56.110, 48.64.130, 49.08.010, 49.08.020,  
 11.76.210, 11.76.230, 11.76.240, 11.76.243, 11.76.245, 49.08.050, 49.12.050, 49.17.020, 49.17.050, 49.17.060,  
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 11.80.090, 11.80.100, 11.80.110, 11.84.060, 11.84.900, 49.17.160, 49.17.170, 49.17.180, 49.17.190, 49.17.200,  
 11.88.100, 11.88.150, 11.92.115, 11.98.070, 11.106.030, 49.17.220, 49.17.240, 49.17.260, 49.24.020, 49.24.040,  
 11.110.100, 11.110.110, 11.110.120, 12.04.020, 12.04.030, 49.24.180, 49.24.190, 49.24.230, 49.24.370, 49.26.010,  
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 12.04.110, 12.04.120, 12.04.160, 12.04.170, 12.04.180, 49.40.040, 49.40.050, 49.40.060, 49.44.020, 49.44.030,  
 12.04.190, 12.04.201, 12.04.203, 12.04.206, 12.04.207, 49.44.060, 49.44.080, 49.46.010, 49.46.040, 49.46.070,  
 12.08.040, 12.08.060, 12.08.070, 12.08.080, 12.08.090, 49.46.090, 49.46.100, 49.46.130, 49.46.160, 49.48.010,  
 12.08.100, 12.08.120, 12.12.080, 12.12.090, 12.16.020, 49.48.030, 49.48.050, 49.48.060, 49.48.090, 49.48.150,  
 12.16.030, 12.16.040, 12.16.050, 12.16.060, 12.16.080, 49.52.010, 49.52.020, 49.52.050, 49.52.070, 49.52.090,  
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 13.24.050, 14.08.290, 14.08.112, 14.12.030, 14.12.110, 49.70.170, 50.01.010, 50.04.040, 50.04.230, 50.04.235,  
 14.12.140, 14.16.010, 14.16.030, 14.16.040, 14.20.030, 50.04.290, 50.04.320, 50.04.330, 50.04.340, 50.04.350,  
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 15.24.150, 15.24.210, 15.26.030, 15.26.040, 15.26.050, 50.29.080, 50.32.010, 50.32.080, 50.32.110, 50.32.150,  
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 15.26.190, 15.26.210, 15.26.230, 15.26.240, 15.28.030, 50.72.060, 51.04.110, 51.12.080, 51.14.040, 51.14.050,  
 15.28.100, 15.28.150, 15.28.190, 15.28.210, 15.28.220, 51.14.100, 51.16.150, 51.16.170, 51.32.025, 51.32.230,  
 15.28.230, 15.28.260, 15.28.280, 15.28.310, 15.30.010, 51.44.120, 51.48.017, 51.48.250, 51.52.102, 51.52.106,  
 15.30.030, 15.30.070, 15.30.080, 15.37.010, 15.37.040, 52.04.111, 52.12.031, 52.14.080, 53.08.091, 53.08.208,  
 15.37.060, 15.37.070, 15.37.120, 15.44.027, 15.44.050, 53.08.390, 53.12.265, 53.18.030, 53.25.020, 53.25.150,  
 15.44.060, 15.44.090, 15.44.100, 15.49.101, 15.49.111, 53.25.160, 53.34.020, 53.34.140, 53.36.010, 53.36.050,  
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 15.65.340, 15.65.390, 15.65.400, 15.65.410, 15.65.420, 54.40.050, 58.08.035, 58.09.030, 58.09.040, 58.09.090,  
 15.65.440, 15.65.480, 15.65.490, 15.65.500, 15.65.520, 58.17.210, 58.28.030, 58.28.070, 58.28.080, 58.28.090,  
 15.65.530, 15.65.540, 15.65.550, 15.65.590, 15.66.200, 58.28.140, 58.28.220, 58.28.240, 58.28.280, 58.28.290,  
 15.66.210, 15.66.230, 15.66.240, 15.70.020, 15.70.030, 58.28.300, 58.28.310, 58.28.350, 58.28.390, 58.28.410,  
 15.70.040, 15.76.170, 15.80.320, 15.80.460, 15.80.470, 58.28.460, 58.28.470, 58.28.480, 58.28.500, 58.28.510,  
 15.80.480, 15.80.490, 15.80.500, 15.80.510, 15.80.550, 59.04.040, 59.04.050, 59.08.030, 59.08.040, 59.08.070,  
 15.80.590, 15.80.610, 15.80.620, 15.80.630, 15.80.640, 59.12.035, 59.12.040, 59.12.060, 59.12.080, 59.12.090,  
 15.88.070, 15.100.080, 43.21A.405, 43.21C.030, 44.39.060, 59.12.100, 59.12.121, 59.12.140, 59.12.170, 59.12.190,  
 46.01.250, 46.09.080, 46.10.120, 46.10.220, 46.12.130, 59.16.020, 59.16.030, 59.18.070, 59.18.080, 59.18.090,  
 46.12.240, 46.12.280, 46.12.300, 46.12.320, 46.16.025, 59.18.100, 59.18.140, 59.18.190, 59.18.230, 59.18.240,  
 46.16.047, 46.16.210, 46.16.230, 46.16.260, 46.16.371, 59.18.250, 59.18.280, 59.18.290, 59.18.300, 59.18.340,  
 46.16.505, 46.16.595, 46.20.017, 46.20.024, 46.20.220, 59.18.350, 59.18.380, 59.18.410, 59.20.090, and 59.20.140;  
 46.20.325, 46.20.327, 46.20.332, 46.20.333, 46.20.334, reenacting and amending RCW 15.35.240; and providing an  
 46.20.349, 46.29.040, 46.29.050, 46.29.070, 46.29.080, effective date.  
 46.29.120, 46.29.140, 46.29.160, 46.29.170, 46.29.180,

Referred to Committee on State Government & Tribal Affairs.

SB 6265 by Senator Keiser

AN ACT Relating to hospital surveys or audits; and amending RCW 70.41.045.

Referred to Committee on Health Care & Wellness.

SB 6269 by Senators Keiser and Rockefeller

AN ACT Relating to conversion rights upon termination of eligibility for health plan coverage; amending RCW 48.21.260, 48.44.370, and 48.46.450; and creating a new section.

Referred to Committee on Health Care & Wellness.

SSB 6271 by Senate Committee on Transportation (originally sponsored by Senators Murray and Haugen)

AN ACT Relating to annexations by cities and code cities located within the boundaries of a regional transit authority; amending RCW 81.112.050; adding a new section to chapter 35.13 RCW; and adding a new section to chapter 35A.14 RCW.

Referred to Committee on Local Government & Housing.

SB 6279 by Senators Kline, Murray and Haugen

AN ACT Relating to the clarification of regional transit authority facilities as essential public facilities; and amending RCW 36.70A.200.

Referred to Committee on Local Government & Housing.

SSB 6293 by Senate Committee on Judiciary (originally sponsored by Senators Brandland and Carrell)

AN ACT Relating to rendering criminal assistance in the first degree; amending RCW 9A.76.070; reenacting and amending RCW 9.94A.515; and prescribing penalties.

Referred to Committee on Public Safety & Emergency Preparedness.

2SSB 6316 by Senate Committee on Ways & Means (originally sponsored by Senators Carrell, King, Hewitt, Stevens and Delvin)

AN ACT Relating to coordination between local law enforcement and the department of corrections; amending RCW 10.31.100 and 36.28A.040; creating new sections; and providing an expiration date.

Referred to Committee on Human Services.

SSB 6355 by Senate Committee on Higher Education & Workforce Development (originally sponsored by Senators Kilmer, Becker, Rockefeller and Shin)

AN ACT Relating to expanding the higher education system upon proven demand; amending RCW 28B.50.020,

28B.50.810, 28B.76.020, 28B.76.230, 28B.120.005, 28B.120.010, and 28B.120.020; and creating a new section.

Referred to Committee on Higher Education.

SSB 6357 by Senate Committee on Higher Education & Workforce Development (originally sponsored by Senators Kilmer, Becker, Shin, Rockefeller, McAuliffe and Roach)

AN ACT Relating to policies for the academic recognition of prior learning; and creating new sections.

Referred to Committee on Higher Education.

SSB 6360 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Keiser, Roach and Marr)

AN ACT Relating to establishing a program to verify the address of registered sex offenders and kidnapping offenders; amending RCW 9A.44.130 and 9A.44.135; and adding a new section to chapter 36.28A RCW.

Referred to Committee on Public Safety & Emergency Preparedness.

SSB 6361 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Brandland, Hargrove, Carrell, Roach and Marr)

AN ACT Relating to a person's identifying information submitted in the course of using the electronic statewide unified sex offender notification and registration program for the purpose of receiving notification regarding registered sex offenders; and amending RCW 36.28A.040 and 42.56.240.

Referred to Committee on State Government & Tribal Affairs.

SSB 6363 by Senate Committee on Transportation (originally sponsored by Senators Marr, King, Haugen, Brandland, Kauffman, Delvin, Eide, Shin and McAuliffe)

AN ACT Relating to the enforcement of certain school or playground crosswalk violations; amending RCW 46.61.235, 46.61.245, 46.61.261, and 46.61.440; adding a new section to chapter 46.61 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

SB 6365 by Senators Swecker and Roach

AN ACT Relating to motor vehicle emission standards; and amending RCW 70.120A.010.

Referred to Committee on Ecology & Parks.

SB 6379 by Senators Swecker, Hatfield, Marr, Haugen, Berkey, Ranker, Sheldon and Kauffman

AN ACT Relating to streamlining and making technical corrections to vehicle and vessel registration and title provisions; amending RCW 46.04.125, 46.04.3815, 46.04.670, 46.01.011, 46.01.110, 46.01.130, 46.01.140,

46.01.230, 46.01.235, 46.01.260, 46.01.270, 46.01.310, 46.12.101, 46.12.102, 46.12.103, 46.12.124, 46.12.130,  
46.08.066, 46.08.150, 46.09.020, 46.09.030, 46.09.040, 46.12.151, 46.12.170, 46.12.280, 46.12.290, 46.12.420,  
46.09.050, 46.09.070, 46.09.080, 46.09.115, 46.09.240, 46.12.430, 46.12.440, 46.12.300, 46.12.310, 46.12.320,  
46.09.280, 46.10.010, 46.10.020, 46.10.030, 46.10.040, 46.12.330, 46.12.340, 46.12.350, 46.12.210, 46.12.250,  
46.10.043, 46.10.050, 46.10.055, 46.10.060, 46.10.070, 46.16.004, 46.16.006, 46.16.010, 46.16.015, 46.16.020,  
46.10.220, 46.12.010, 46.12.030, 46.12.047, 46.12.050, 46.16.022, 46.16.028, 46.16.029, 46.16.030, 46.16.040,  
46.12.070, 46.12.080, 46.12.101, 46.12.102, 46.12.103, 46.16.073, 46.16.076, 46.16.210, 46.16.212, 46.16.216,  
46.12.124, 46.12.130, 46.12.151, 46.12.160, 46.12.170, 46.16.225, 46.16.260, 46.16.265, 46.16.276, 46.16.280,  
46.12.181, 46.12.190, 46.12.210, 46.12.250, 46.12.280, 46.16.295, 46.16.327, 46.16.332, 46.16.045, 46.16.047,  
46.12.290, 46.12.420, 46.12.440, 46.16.004, 46.16.006, 46.16.048, 46.16.160, 46.16.162, 46.16.460, 46.16.025,  
46.16.010, 46.16.015, 46.16.020, 46.16.022, 46.16.025, 46.16.068, 46.16.070, 46.16.086, 46.16.090, 46.16.615,  
46.16.028, 46.16.029, 46.16.030, 46.16.040, 46.16.045, 46.16.011, 46.16.012, 46.16.140, 46.16.145, 46.16.180,  
46.16.047, 46.16.048, 46.16.068, 46.16.070, 46.16.076, 46.16.500, 46.16.309, 46.16.314, 46.16.335, 46.16.390,  
46.16.086, 46.16.090, 46.16.125, 46.16.160, 46.16.162, 46.16.700, 46.16.705, 46.16.715, 46.16.725, 46.16.690,  
46.16.210, 46.16.212, 46.16.216, 46.16.225, 46.16.260, 46.16.735, 46.16.745, 46.16.755, 46.16.765, 46.16.775, 46.16.765,  
46.16.265, 46.16.460, 46.16.500, 46.16.700, 46.16.705, 46.16.301, 46.16.319, 46.16.324, 46.09.110, 46.10.075,  
46.16.715, 46.16.725, 46.16.735, 46.16.745, 46.16.755, 46.16.685, 88.02.010, 88.02.035, 88.02.055, 88.02.110,  
46.16.765, 46.16.775, 46.16.690, 46.16.301, 46.16.324, 88.02.118, 88.02.200, 88.02.070, 88.02.075, 88.02.120,  
46.16.335, 46.16.390, 46.68.010, 46.68.020, 46.68.030, 88.02.180, 88.02.020, 88.02.030, 88.02.050, 88.02.052,  
46.68.035, 46.68.220, 46.16.685, 46.09.110, 46.10.075, 88.02.250, 88.02.260, 88.02.040, 88.02.045, 88.02.053,  
35.95A.090, 35.95A.130, 81.104.160, 82.12.045, 82.12.0254, 88.02.023, 88.02.060, 88.02.078, 88.02.112, 88.02.115,  
82.36.280, 82.44.015, 82.44.035, 82.44.060, 82.44.065, 88.02.125, 88.02.184, 88.02.188, 88.02.189, 88.02.210,  
82.44.090, 82.44.100, 82.44.120, 82.80.130, 82.80.140, 88.02.220, 88.02.230, and 46.16.125; recodifying RCW  
88.02.010, 88.02.035, 88.02.055, 88.02.110, 88.02.118, 46.16.450; repealing RCW 46.09.085, 46.10.080, 46.12.005,  
88.02.200, 88.02.120, 88.02.070, 88.02.180, 88.02.075, 46.12.020, 46.12.040, 46.12.042, 46.12.045, 46.12.055,  
88.02.020, 88.02.030, 88.02.050, 88.02.050, 88.02.052, 46.12.060, 46.12.075, 46.12.095, 46.12.105, 46.12.200,  
88.02.250, 88.02.260, 88.02.040, 88.02.045, 88.02.053, 46.12.215, 46.12.220, 46.12.230, 46.12.240, 46.12.260,  
88.02.060, 88.02.230, 88.02.078, 88.02.188, 88.02.112, 46.12.270, 46.12.450, 46.12.500, 46.12.510, 46.16.0105,  
88.02.115, 88.02.189, 88.02.220, 88.02.210, 88.02.023, 46.16.016, 46.16.017, 46.16.023, 46.16.035, 46.16.0621,  
88.02.184, 88.02.125, 82.49.010, 82.49.030, 82.49.065, 46.16.063, 46.16.071, 46.16.079, 46.16.085, 46.16.088,  
19.116.050, 28B.10.890, 29A.04.037, 35A.46.010, 41.04.007, 46.16.111, 46.16.121, 46.16.135, 46.16.150, 46.16.200,  
43.60A.140, 46.01.030, 46.01.040, 46.01.160, 46.01.320, 46.16.220, 46.16.230, 46.16.233, 46.16.235, 46.16.237,  
46.08.010, 46.08.150, 46.20.025, 46.29.605, 46.30.020, 46.16.240, 46.16.270, 46.16.280, 46.16.290, 46.16.295,  
46.32.100, 46.44.0941, 46.44.170, 46.55.105, 46.55.140, 46.16.305, 46.16.307, 46.16.30901, 46.16.30902,  
46.55.240, 46.61.581, 46.61.582, 46.63.020, 46.63.160, 46.16.30903, 46.16.30904, 46.16.30905, 46.16.30906,  
46.63.170, 46.68.080, 46.68.250, 46.70.011, 46.70.051, 46.16.30907, 46.16.30908, 46.16.30909, 46.16.30910,  
46.70.101, 46.70.122, 46.70.124, 46.70.135, 46.72.060, 46.16.30911, 46.16.30912, 46.16.30913, 46.16.30914,  
46.80.010, 46.80.090, 46.87.010, 46.87.020, 46.87.030, 46.16.30915, 46.16.30916, 46.16.30917, 46.16.30918,  
46.87.140, 46.87.220, 47.10.704, 47.68.255, 48.22.110, 46.16.30919, 46.16.30920, 46.16.30921, 46.16.30923,  
59.21.050, 62A.9A-311, 63.14.130, 65.20.020, 65.20.040, 46.16.30924, 46.16.30925, 46.16.30926, 46.16.30927,  
68.64.010, 68.64.210, 70.168.040, 73.04.115, 77.12.471, 46.16.30928, 46.16.30929, 46.16.313, 46.16.316, 46.16.333,  
79.100.100, 79A.05.059, 79A.05.065, 79A.05.215, 46.16.335, 46.16.340, 46.16.350, 46.16.371, 46.16.374,  
82.08.0264, 82.44.010, 84.37.070, and 84.38.100; reenacting  
and amending RCW 46.09.170, 82.38.100, 46.55.113, 46.16.376, 46.16.381, 46.16.385, 46.16.470, 46.16.480,  
46.70.180, 59.22.020, and 63.14.010; adding new sections to  
chapter 46.04 RCW; adding a new section to chapter 46.01  
RCW; adding new sections to chapter 46.09 RCW; adding  
new sections to chapter 46.10 RCW; adding new sections to  
chapter 46.12 RCW; adding new sections to chapter 46.16  
RCW; adding new sections to chapter 46.17 RCW; adding  
new sections to chapter 46.68 RCW; adding a new section to  
chapter 82.44 RCW; adding new sections to chapter 88.02  
RCW; adding a new section to chapter 47.06 RCW; adding a  
new section to chapter 81.24 RCW; adding new chapters to  
Title 46 RCW; creating a new section; recodifying RCW  
46.09.010, 46.09.020, 46.09.080, 46.09.140, 46.09.180,  
46.09.200, 46.09.250, 46.09.280, 46.09.030, 46.09.040,  
46.09.050, 46.09.070, 46.09.115, 46.09.117, 46.09.120,  
46.09.130, 46.09.190, 46.09.150, 46.09.165, 46.09.170,  
46.09.240, 46.10.010, 46.10.020, 46.10.140, 46.10.180,  
46.10.185, 46.10.200, 46.10.210, 46.10.220, 46.10.040,  
46.10.050, 46.10.060, 46.10.070, 46.10.055, 46.10.090,  
46.10.100, 46.10.110, 46.10.120, 46.10.130, 46.10.190,  
46.10.150, 46.10.160, 46.10.170, 46.12.010, 46.12.030,  
46.12.047, 46.12.050, 46.12.070, 46.12.080, 46.12.160,  
46.12.181, 46.12.190, 46.12.370, 46.12.380, 46.12.390,

Referred to Committee on Transportation.

SSB 6380 by Senate Committee on Transportation (originally sponsored by Senators Haugen, Jacobsen, Ranker and Swecker)

AN ACT Relating to the purchase of wetland mitigation bank credits by the department of transportation; and amending RCW 47.01.305.

Referred to Committee on Ecology & Parks.

SSB 6393 by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Hewitt, Kohl-Welles and Shin)

AN ACT Relating to modifying distributions of funds by the horse racing commission to nonprofit race meets; and amending RCW 67.16.105.

Referred to Committee on Commerce & Labor.

ESSB 6403 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Kauffman, McAuliffe, Hargrove, Hobbs, Regala, Oemig, McDermott and Shin)

AN ACT Relating to accountability and support for vulnerable students and dropouts, including prevention, intervention, and reengagement; amending RCW 28A.175.075; adding a new section to chapter 28A.175 RCW; and creating new sections.

Referred to Committee on Education.

SB 6543 by Senators Hatfield, Schoesler and Shin

AN ACT Relating to the Washington tree fruit research commission; and amending RCW 15.26.110.

Referred to Committee on Agriculture & Natural Resources.

SSB 6548 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Carrell, Stevens, Kauffman and Roach)

AN ACT Relating to offenders on parole or probation; amending RCW 9.94A.633; and creating a new section.

Referred to Committee on Human Services.

SSB 6550 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Regala, Carrell, Marr, Shin and Roach)

AN ACT Relating to imposing a sanction for offenders who violate sentence conditions by committing an assault against a law enforcement officer, employee of a law enforcement agency, or department of corrections employee; amending RCW 9.94A.633; and prescribing penalties.

Referred to Committee on Public Safety & Emergency Preparedness.

SB 6555 by Senators Tom and Haugen

AN ACT Relating to removing state route number 908 from the state highway system; and repealing RCW 47.17.855.

Referred to Committee on Transportation.

SSB 6558 by Senate Committee on Transportation (originally sponsored by Senator Haugen)

AN ACT Relating to petitions for administrative review of railroad crossing closures; and amending RCW 81.53.060.

Referred to Committee on Transportation.

SSB 6570 by Senate Committee on Transportation (originally sponsored by Senators Haugen, Swecker, Becker, Sheldon, Delvin and Hatfield)

AN ACT Relating to allowing certain private transportation providers to use certain public transportation facilities; amending RCW 46.61.100, 46.61.165, 47.04.290, and 47.52.025; adding a new section to chapter 47.04 RCW; and creating a new section.

Referred to Committee on Transportation.

SSB 6577 by Senate Committee on Transportation (originally sponsored by Senators Kastama, Berkey, Swecker, Haugen, Kilmer and Shin)

AN ACT Relating to modifying the transportation system policy goals; and amending RCW 47.04.280.

Referred to Committee on Transportation.

SSB 6580 by Senate Committee on Transportation (originally sponsored by Senators Swecker and Haugen)

AN ACT Relating to creating the local bridge restoration and replacement account; reenacting and amending RCW 43.84.092; and adding a new section to chapter 47.04 RCW.

Referred to Committee on Transportation.

SB 6627 by Senators Marr, Pflug, Keiser, Benton, Franklin, Fairley, Schoesler, Pridemore, Roach and Parlette

AN ACT Relating to authorizing Washington pharmacies to fill prescriptions written by advanced registered nurse practitioners in other states or in certain provinces of Canada; and reenacting and amending RCW 69.41.030.

Referred to Committee on Health Care & Wellness.

SSB 6647 by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Honeyford, Swecker and Morton)

AN ACT Relating to protecting jobs of members of the civil air patrol while acting in an emergency service operation; and amending RCW 49.12.460.

Referred to Committee on Commerce & Labor.

SSB 6649 by Senate Committee on Transportation (originally sponsored by Senators King, Marr, Swecker, Haugen, Tom and Shin)

AN ACT Relating to driving record abstracts; amending RCW 46.52.130; and prescribing penalties.

Referred to Committee on Transportation.

SSB 6673 by Senate Committee on Judiciary (originally sponsored by Senators Kline, McCaslin, Carrell, Kohl-Welles, Gordon, Regala, Roach, Hargrove and Tom)

AN ACT Relating to bail practices and procedures; creating new sections; and providing an expiration date.

Referred to Committee on Public Safety & Emergency Preparedness.

SSB 6730 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Becker, Hargrove, Stevens and Roach)

AN ACT Relating to implementing recommendations made by the office of the family and children's ombudsman in its 2009 Colville investigation by requiring the department of social and health services to notify parents the relatives that have been considered as a placement resource; by requiring that the department notify the relatives why they were not chosen as a placement resource or why a child is being removed from their home; by creating a judicial process by which relatives can be heard on the decision to remove a child from their home; by clarifying that the duties of a guardian ad litem do not include investigation of child abuse or neglect allegations; amending RCW 13.34.060 and 13.34.105; reenacting and amending RCW 13.34.130; adding new sections to chapter 13.34 RCW; and creating a new section.

Referred to Committee on Early Learning & Children's Services.

2SSB 6760 by Senate Committee on Ways & Means (originally sponsored by Senators Oemig, Gordon, McDermott, McAuliffe, Tom, Kauffman, Fairley, Ranker, Hargrove, Kline, Murray, Eide, Franklin, Hobbs and Shin)

AN ACT Relating to the basic education instructional allocation distribution formula; amending RCW 28A.150.260, 28A.150.390, and 28A.150.410; amending 2009 c 548 s 710 (uncodified); amending 2009 c 548 s 804 (uncodified); creating new sections; and providing an effective date.

Referred to Committee on Education Appropriations.

SB 6815 by Senator Haugen

AN ACT Relating to health care benefits for marine employees of the department of transportation; and amending RCW 47.64.120, 47.64.270, 47.64.320, and 41.80.020.

Referred to Committee on Commerce & Labor.

SB 6826 by Senator Swecker

AN ACT Relating to subagent service fees; and amending RCW 46.01.140.

Referred to Committee on Transportation.

SJM 8025 by Senators Prentice, Haugen, Fraser, Shin and Roach

Requesting that a retired space shuttle orbiter be transferred to Washington's museum of flight.

Referred to Committee on Community & Economic Development & Trade.

SJM 8026 by Senators Regala, Hargrove, Brandland, Kohl-Welles, Stevens, Shin, Carrell, Hatfield, Jacobsen, Ranker, Oemig, Eide, Marr, McDermott, Haugen,

Hobbs, Kilmer, Kline, Berkey, Kauffman, Prentice, Tom, Gordon, Fraser, McAuliffe, Franklin and Keiser

Requesting the Interstate Commission for Adult Offender Supervision immediately initiate its emergency rule-making process.

Referred to Committee on Human Services.

ESSJR 8218 by Senate Committee on Judiciary (originally sponsored by Senators Carrell, Franklin, Brandland, Becker, Schoesler, Kastama, Honeyford, Delvin, Hobbs, Parlette, Zarelli, McCaslin, Holmquist, Hargrove, Regala, Rockefeller, Marr, Hatfield, Shin, Sheldon, Kilmer, Hewitt, Stevens and Roach)

Amending the state Constitution so that offenses that may result in a mandatory life sentence upon conviction are not bailable by sufficient sureties.

Referred to Committee on Public Safety & Emergency Preparedness.

SSCR 8409 by Senate Committee on Health & Long-Term Care (originally sponsored by Senator Keiser)

Forming a joint select committee on health reform implementation.

Referred to Committee on Health Care & Wellness.

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

## SECOND READING

**HOUSE BILL NO. 2776, by Representatives Sullivan, Priest, Maxwell, Dammeier, Carlyle, Finn, Anderson, Eddy, Nelson, Goodman, Orwall, Hunter, Simpson, Jacks, Kagi, Ormsby, Morrell, Probst and Santos**

**Regarding funding distribution formulas for K-12 education.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2776 was substituted for House Bill No. 2776 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2776 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 Sullivan, Priest, Maxwell, Dammeier, Hunter and Armstrong spoke in favor of the passage of the bill.

Representative Alexander spoke against the 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. 2776.

**MOTION**

On motion of Representative Santos, Representatives Carlyle and Hurst were excused.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2776, and the bill passed the House by the following vote: Yeas, 73; Nays, 23; Absent, 0; Excused, 2.

Voting yea: Representatives Anderson, Angel, Appleton, Armstrong, Blake, Chase, Clibborn, Cody, Condotta, Conway, Dammeier, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Hope, Hudgins, Hunt, Hunter, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Priest, Probst, Quall, Roberts, Rodne, Rolfes, Santos, Seaquist, Sells, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Bailey, Campbell, Chandler, Crouse, DeBolt, Ericksen, Fagan, Herrera, Hinkle, Johnson, Klippert, Kretz, Kristiansen, McCune, Orcutt, Pearson, Roach, Ross, Schmick, Shea, Short and Taylor.

Excused: Representatives Carlyle and Hurst.

SUBSTITUTE HOUSE BILL NO. 2776, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2893, by Representatives Sullivan, Carlyle, Hunter, Maxwell, Nelson, Hunt, Appleton, Simpson, Dickerson, White, Pedersen, Green, Sells, Eddy, Springer, Williams, Orwall, Goodman, Conway, Kenney, Rolfes, Ericks, Ormsby, Kagi, Roberts and Jacks**

**Changing school levy provisions.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2893 was substituted for House Bill No. 2893 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2893 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 Sullivan, Hunter, Haigh, Maxwell, Rolfes, Hunt, Eddy, Nelson, Orwall and Liias spoke in favor of the passage of the bill.

Representatives Priest, DeBolt, Armstrong, Anderson, Pearson, Haler, Kretz, Short, Taylor, Schmick, Johnson and Hinkle spoke against 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. 2893.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2893, and the bill passed the House by the following vote: Yeas, 55; Nays, 41; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Blake, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Goodman, Green, Haigh, Hasegawa, Hope, Hudgins, Hunt, Hunter, Jacks, Kagi, Kelley, Kenney, Kirby, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Quall, Roberts, Rolfes, Santos, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Campbell, Chandler, Condotta, Crouse, Dammeier, DeBolt, Ericksen, Fagan, Finn, Flannigan, Haler, Herrera, Hinkle, Johnson, Kessler, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Parker, Pearson, Priest, Roach, Rodne, Ross, Schmick, Seaquist, Shea, Short, Smith, Taylor, Van De Wege, Walsh and Warnick.

Excused: Representatives Carlyle and Hurst.

SUBSTITUTE HOUSE BILL NO. 2893, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2670, by Representatives Haigh, Ericks, Quall, Sullivan, Kenney, Maxwell, Simpson, Priest, Dammeier and Kagi**

**Restoring the school district levy base.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2670 was substituted for House Bill No. 2670 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2670 was read the second time.

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

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2670.

**ROLL CALL**

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2670, and the bill passed the House by the following vote: Yeas, 93; Nays, 3; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor,

Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Chandler, Orcutt and Roach.

Excused: Representatives Carlyle and Hurst.

SECOND SUBSTITUTE HOUSE BILL NO. 2670, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2731, by Representatives Goodman, Haler, Maxwell, Priest, Kagi, Sullivan, Seaquist, Quall, O'Brien, Jacks, Haigh, Pedersen, Darneille, Kenney, Rolfes, Hunter, Williams, Orwall, Liias, Carlyle, Roberts, Simpson, Walsh, Nelson, Kelley, Dickerson, Appleton, Eddy, Sells and Morrell**

**Creating an early learning program for educationally at-risk children.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2731 was substituted for House Bill No. 2731 and the substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2731 was read the second time.

With the consent of the House, amendment (1081) was withdrawn. Amendment (1112) was ruled out of order.

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

Representatives Goodman, Haler, Kagi, Walsh, Parker, Goodman (again), Kessler and Haigh spoke in favor of the passage of the bill.

Representatives Alexander and Bailey spoke against passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2731.

### MOTION

On motion of Representative Santos, Representative Pederson was excused.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2731, and the bill passed the House by the following vote: Yeas, 67; Nays, 28; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Blake, Campbell, Chase, Clibborn, Cody, Conway, Dammeier, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Hope, Hudgins, Hunt, Hunter, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pettigrew, Priest, Probst, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Chandler, Condotta, Crouse, DeBolt, Ericksen, Fagan, Herrera, Hinkle, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Pearson, Roach, Rodne, Ross, Schmick, Shea, Short, Smith and Taylor.

Excused: Representatives Carlyle, Hurst and Pedersen.

SECOND SUBSTITUTE HOUSE BILL NO. 2731, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2913, by Representatives Haigh, Priest, Quall, Haler, Kessler, Kagi, Nealey, Finn, Maxwell, Sullivan and Kenney**

**Authorizing innovative interdistrict cooperative high school programs.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2913 was substituted for House Bill No. 2913 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2913 was read the second time.

Representative Haigh moved the adoption of amendment (1106).

On page 5, after line 21, insert the following:

"**Sec. 10.** RCW 84.52.0531 and 2009 c 4 s 908 are each amended to read as follows:

The maximum dollar amount which may be levied by or for any school district for maintenance and operation support under the provisions of RCW 84.52.053 shall be determined as follows:

(1) For excess levies for collection in calendar year 1997, the maximum dollar amount shall be calculated pursuant to the laws and rules in effect in November 1996.

(2) For excess levies for collection in calendar year 1998 and thereafter, the maximum dollar amount shall be the sum of (a) plus or minus (b) ~~((and))~~, (c), and (d) of this subsection minus ~~((+))~~(e) of this subsection:

(a) The district's levy base as defined in subsections (3) and (4) of this section multiplied by the district's maximum levy percentage as defined in subsection (5) of this section;

(b) For districts in a high/nonhigh relationship, the high school district's maximum levy amount shall be reduced and the nonhigh school district's maximum levy amount shall be increased by an amount equal to the estimated amount of the nonhigh payment due to the high school district under RCW 28A.545.030(3) and 28A.545.050 for the school year commencing the year of the levy;

(c) Except for nonhigh districts under (d) of this subsection, for districts in an interdistrict cooperative agreement, the nonresident school district's maximum levy amount shall be reduced and the resident school district's maximum levy amount shall be increased by an amount equal to the per pupil basic education allocation included in the nonresident district's levy base under subsection (3) of this section multiplied by:

(i) The number of full-time equivalent students served from the resident district in the prior school year; multiplied by:

(ii) The serving district's maximum levy percentage determined under subsection (5) of this section; increased by:

(iii) The percent increase per full-time equivalent student as stated in the state basic education appropriation section of the

biennial budget between the prior school year and the current school year divided by fifty-five percent;

(d) The levy bases of nonhigh districts participating in an innovation academy cooperative established under section 2 of this act shall be adjusted by the office of the superintendent of public instruction to reflect each district's proportional share of student enrollment in the cooperative;

(e) The district's maximum levy amount shall be reduced by the maximum amount of state matching funds for which the district is eligible under RCW 28A.500.010.

(3) For excess levies for collection in calendar year 2005 and thereafter, a district's levy base shall be the sum of allocations in (a) through (c) of this subsection received by the district for the prior school year and the amounts determined under subsection (4) of this section, including allocations for compensation increases, plus the sum of such allocations multiplied by the percent increase per full time equivalent student as stated in the state basic education appropriation section of the biennial budget between the prior school year and the current school year and divided by fifty-five percent. A district's levy base shall not include local school district property tax levies or other local revenues, or state and federal allocations not identified in (a) through (c) of this subsection.

(a) The district's basic education allocation as determined pursuant to RCW 28A.150.250, 28A.150.260, and 28A.150.350;

(b) State and federal categorical allocations for the following programs:

(i) Pupil transportation;

(ii) Special education;

(iii) Education of highly capable students;

(iv) Compensatory education, including but not limited to learning assistance, migrant education, Indian education, refugee programs, and bilingual education;

(v) Food services; and

(vi) Statewide block grant programs; and

(c) Any other federal allocations for elementary and secondary school programs, including direct grants, other than federal impact aid funds and allocations in lieu of taxes.

(4) For levy collections in calendar years 2005 through 2011, in addition to the allocations included under subsection (3)(a) through (c) of this section, a district's levy base shall also include the following:

(a) The difference between the allocation the district would have received in the current school year had \*RCW 84.52.068 not been amended by chapter 19, Laws of 2003 1st sp. sess. and the allocation the district received in the current school year pursuant to \*RCW 84.52.068. The office of the superintendent of public instruction shall offset the amount added to a district's levy base pursuant to this subsection (4)(a) by any additional per student allocations included in a district's levy base pursuant to the enactment of an initiative to the people subsequent to June 10, 2004; and

(b) The difference between the allocations the district would have received the prior school year had RCW 28A.400.205 not been amended by chapter 20, Laws of 2003 1st sp. sess. and the allocations the district actually received the prior school year pursuant to RCW 28A.400.205. The office of the superintendent of public instruction shall offset the amount added to a district's levy base pursuant to this subsection (4)(b) by any additional salary increase allocations included in a district's levy base pursuant to the enactment of an initiative to the people subsequent to June 10, 2004.

(5) A district's maximum levy percentage shall be twenty-two percent in 1998 and twenty-four percent in 1999 and every year thereafter; plus, for qualifying districts, the grandfathered percentage determined as follows:

(a) For 1997, the difference between the district's 1993 maximum levy percentage and twenty percent; and

(b) For 1998 and thereafter, the percentage calculated as follows:

(i) Multiply the grandfathered percentage for the prior year times the district's levy base determined under subsection (3) of this section;

(ii) Reduce the result of (b)(i) of this subsection by any levy reduction funds as defined in subsection (6) of this section that are to be allocated to the district for the current school year;

(iii) Divide the result of (b)(ii) of this subsection by the district's levy base; and

(iv) Take the greater of zero or the percentage calculated in (b)(iii) of this subsection.

(6) "Levy reduction funds" shall mean increases in state funds from the prior school year for programs included under subsections (3) and (4) of this section: (a) That are not attributable to enrollment changes, compensation increases, or inflationary adjustments; and (b) that are or were specifically identified as levy reduction funds in the appropriations act. If levy reduction funds are dependent on formula factors which would not be finalized until after the start of the current school year, the superintendent of public instruction shall estimate the total amount of levy reduction funds by using prior school year data in place of current school year data. Levy reduction funds shall not include moneys received by school districts from cities or counties.

(7) For the purposes of this section, "prior school year" means the most recent school year completed prior to the year in which the levies are to be collected.

(8) For the purposes of this section, "current school year" means the year immediately following the prior school year.

(9) Funds collected from transportation vehicle fund tax levies shall not be subject to the levy limitations in this section.

(10) The superintendent of public instruction shall develop rules and regulations and inform school districts of the pertinent data necessary to carry out the provisions of this section.

(11) For calendar year 2009, the office of the superintendent of public instruction shall recalculate school district levy authority to reflect levy rates certified by school districts for calendar year 2009.

**Sec. 11.** RCW 84.52.0531 and 1997 c 259 s 2 are each amended to read as follows:

The maximum dollar amount which may be levied by or for any school district for maintenance and operation support under the provisions of RCW 84.52.053 shall be determined as follows:

(1) For excess levies for collection in calendar year 1997, the maximum dollar amount shall be calculated pursuant to the laws and rules in effect in November 1996.

(2) For excess levies for collection in calendar year 1998 and thereafter, the maximum dollar amount shall be the sum of (a) plus or minus (b) ~~((and))~~, (c), and (d) of this subsection minus ~~((and))~~ (e) of this subsection:

(a) The district's levy base as defined in subsection (3) of this section multiplied by the district's maximum levy percentage as defined in subsection (4) of this section;

(b) For districts in a high/nonhigh relationship, the high school district's maximum levy amount shall be reduced and the nonhigh school district's maximum levy amount shall be increased by an amount equal to the estimated amount of the nonhigh payment due to the high school district under RCW 28A.545.030(3) and 28A.545.050 for the school year commencing the year of the levy;

(c) Except for nonhigh districts under (d) of this subsection, for districts in an interdistrict cooperative agreement, the nonresident school district's maximum levy amount shall be reduced and the resident school district's maximum levy amount shall be increased by an amount equal to the per pupil basic education allocation

included in the nonresident district's levy base under subsection (3) of this section multiplied by:

(i) The number of full-time equivalent students served from the resident district in the prior school year; multiplied by:

(ii) The serving district's maximum levy percentage determined under subsection (4) of this section; increased by:

(iii) The percent increase per full-time equivalent student as stated in the state basic education appropriation section of the biennial budget between the prior school year and the current school year divided by fifty-five percent;

(d) The levy bases of nonhigh districts participating in an innovation academy cooperative established under section 2 of this act shall be adjusted by the office of the superintendent of public instruction to reflect each district's proportional share of student enrollment in the cooperative;

(e) The district's maximum levy amount shall be reduced by the maximum amount of state matching funds for which the district is eligible under RCW 28A.500.010.

(3) For excess levies for collection in calendar year 1998 and thereafter, a district's levy base shall be the sum of allocations in (a) through (c) of this subsection received by the district for the prior school year, including allocations for compensation increases, plus the sum of such allocations multiplied by the percent increase per full time equivalent student as stated in the state basic education appropriation section of the biennial budget between the prior school year and the current school year and divided by fifty-five percent. A district's levy base shall not include local school district property tax levies or other local revenues, or state and federal allocations not identified in (a) through (c) of this subsection.

(a) The district's basic education allocation as determined pursuant to RCW 28A.150.250, 28A.150.260, and 28A.150.350;

(b) State and federal categorical allocations for the following programs:

(i) Pupil transportation;

(ii) Special education;

(iii) Education of highly capable students;

(iv) Compensatory education, including but not limited to learning assistance, migrant education, Indian education, refugee programs, and bilingual education;

(v) Food services; and

(vi) Statewide block grant programs; and

(c) Any other federal allocations for elementary and secondary school programs, including direct grants, other than federal impact aid funds and allocations in lieu of taxes.

(4) A district's maximum levy percentage shall be twenty-two percent in 1998 and twenty-four percent in 1999 and every year thereafter; plus, for qualifying districts, the grandfathered percentage determined as follows:

(a) For 1997, the difference between the district's 1993 maximum levy percentage and twenty percent; and

(b) For 1998 and thereafter, the percentage calculated as follows:

(i) Multiply the grandfathered percentage for the prior year times the district's levy base determined under subsection (3) of this section;

(ii) Reduce the result of (b)(i) of this subsection by any levy reduction funds as defined in subsection (5) of this section that are to be allocated to the district for the current school year;

(iii) Divide the result of (b)(ii) of this subsection by the district's levy base; and

(iv) Take the greater of zero or the percentage calculated in (b)(iii) of this subsection.

(5) "Levy reduction funds" shall mean increases in state funds from the prior school year for programs included under subsection (3) of this section: (a) That are not attributable to enrollment

changes, compensation increases, or inflationary adjustments; and (b) that are or were specifically identified as levy reduction funds in the appropriations act. If levy reduction funds are dependent on formula factors which would not be finalized until after the start of the current school year, the superintendent of public instruction shall estimate the total amount of levy reduction funds by using prior school year data in place of current school year data. Levy reduction funds shall not include moneys received by school districts from cities or counties.

(6) For the purposes of this section, "prior school year" means the most recent school year completed prior to the year in which the levies are to be collected.

(7) For the purposes of this section, "current school year" means the year immediately following the prior school year.

(8) Funds collected from transportation vehicle fund tax levies shall not be subject to the levy limitations in this section.

(9) The superintendent of public instruction shall develop rules and regulations and inform school districts of the pertinent data necessary to carry out the provisions of this section."

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

On page 5, after line 25, insert the following:

"NEW SECTION. Sec. 12. Section 10 of this act expires January 1, 2012.

NEW SECTION. Sec. 13. Section 11 of this act takes effect January 1, 2012."

Representatives Haigh and Priest spoke in favor of the adoption of the amendment.

Amendment (1106) 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 Haigh and Priest spoke in favor of the 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. 2913.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2913, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst and Pedersen.

SUBSTITUTE HOUSE BILL NO. 2913, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2621, by Representatives Orwall, Maxwell, Darneille, Morrell and Haigh**

**Designating resource programs for science, technology, engineering, and mathematics instruction in K-12 schools.**

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 Orwall and Priest spoke in favor of 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. 2621.

**MOTION**

On motion of Representative Santos, Representative Roberts was excused.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2621, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst, Pedersen and Roberts.

HOUSE BILL NO. 2621, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1162, by Representatives Dickerson, Quall, Sullivan, Haigh, Orwall, Lias, Takko, Kagi, Green, Simpson, Kenney and Nelson**

**Providing for social emotional learning in public schools.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1162 was substituted for House Bill No. 1162 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1162 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 Dickerson and Priest spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1162.

**ROLL CALL**

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1162, and the bill passed the House by the following vote: Yeas, 59; Nays, 35; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Blake, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hope, Hudgins, Hunt, Hunter, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pettigrew, Priest, Probst, Quall, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Campbell, Chandler, Condotta, Crouse, Dammeier, DeBolt, Ericksen, Fagan, Haler, Herrera, Hinkle, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Parker, Pearson, Roach, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh and Warnick.

Excused: Representatives Carlyle, Hurst, Pedersen and Roberts.

SECOND SUBSTITUTE HOUSE BILL NO. 1162, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 3026, by Representatives Santos, Quall, Chase, Upthegrove, Kenney, Hunt, Nelson, Lias, McCoy, Hudgins, Simpson and Darneille**

**Regarding school district compliance with state and federal civil rights laws.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 3026 was substituted for House Bill No. 3026 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 3026 was read the second time.

Representative Shea moved the adoption of amendment (1128).

On page 2, line 15, after "creed," insert "religion,"

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

Amendment (1128) was adopted.

Representative Anderson moved the adoption of amendment (1117).

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that in 1975 legislation was adopted, and later codified in chapter 28A.640 RCW, recognizing the deleterious effect of discrimination on the basis of sex, specifically prohibiting such discrimination in Washington public schools, and requiring the office of the superintendent of public instruction to monitor and ensure compliance. The legislature further finds that, while numerous state and federal laws prohibit discrimination on other bases in addition to sex, the common school provisions codified in Chapter 28A RCW do not include specific acknowledgment of the right to be free from discrimination because of race, creed, color, national origin, honorably discharged veteran or military status, sexual orientation, or the presence of any sensory, mental, or physical disability or the use of a trained dog guide or service animal by a person with a disability, nor do any common school provisions specifically direct the office of the superintendent to monitor and enforce compliance with these laws. The legislature further finds that one of the recommendations made to the legislature by the achievement gap and accountability committee created pursuant to chapter 468, laws of 2009 was that the office of the superintendent of public instruction should be specifically authorized to take affirmative steps to ensure that school districts comply with all state and federal civil rights laws, similar to what has already been authorized in chapter 28A.640 RCW with respect to discrimination on the basis of sex. The legislature recognizes and reaffirms that, in accordance with state and federal laws prohibiting discrimination, discrimination in Washington public schools on the basis of race, creed, color, national origin, honorably discharged veteran or military status, sexual orientation including gender expression or identity, the presence of any sensory, mental, or physical disability, or the use of a trained dog guide or service animal by a person with a disability is prohibited.

**NEW SECTION. Sec. 2.** The office of the attorney general, in cooperation with the human rights commission and the office of the superintendent of public instruction, shall review the statutory framework currently in place for ensuring local school district compliance with state and federal laws prohibiting discrimination, as well as the history of complaints and enforcement activities to date, and shall submit its findings and recommendations with respect to what legislation, if any, is necessary to ensure that local school districts comply with state and federal laws prohibiting discrimination in public schools, including in the areas of public school employment, counseling and guidance services to students, recreational and athletic activities for students, access to course offerings, and in textbooks and instructional materials used by students. The report of findings and recommendations shall be submitted no later than December 1, 2010 to the speaker of the house, majority leader of the senate, and the appropriate committees of the legislature."

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

Representative Santos spoke against the adoption of the amendment.

Amendment (1117) was not 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 Santos, Priest, Santos (again), Liias, Quall and Seaquist spoke in favor of the passage of the bill.

Representatives Hinkle, Anderson, Klippert, Chandler and Chandler (again) spoke against passage of the bill.

The Speaker (Representative Morris Presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 3026.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 3026, and the bill passed the House by the following vote: Yeas, 59; Nays, 35; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Blake, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hope, Hudgins, Hunt, Hunter, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pettigrew, Priest, Probst, Quall, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Campbell, Chandler, Condotta, Crouse, Dammeier, DeBolt, Ericksen, Fagan, Haler, Herrera, Hinkle, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Parker, Pearson, Roach, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh and Warnick.

Excused: Representatives Carlyle, Hurst, Pedersen and Roberts.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 3026, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2854, by Representatives Kenney, Maxwell, Sells, Probst, Hasegawa, Pettigrew, Conway, Ericks, Sullivan, Hunt, Nelson, Quall, Chase, Ormsby, Liias, Upthegrove, Goodman, Pedersen, Santos, Morrell, Hudgins, Orwall, Cody, Eddy, Dickerson, Wallace, Kessler, Anderson and Simpson**

### **Making changes to the state higher education loan program.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2854 was substituted for House Bill No. 2854 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2854 was read the second time.

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

Representative Kenney spoke in favor of passage of the bill.

Representative Anderson spoke against passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2854.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2854, and the bill passed the House by the following vote: Yeas, 59; Nays, 35; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Blake, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hope, Hudgins, Hunt, Hunter, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pettigrew, Probst, Quall, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Campbell, Chandler, Condotta, Crouse, Dammeier, DeBolt, Ericksen, Halder, Herrera, Hinkle, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Parker, Pearson, Priest, Roach, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh and Warnick.

Excused: Representatives Carlyle, Hurst, Pedersen and Roberts.

SECOND SUBSTITUTE HOUSE BILL NO. 2854, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

February 13, 2010

Mr. Speaker:

The Senate has passed:

SENATE BILL 6206  
 SUBSTITUTE SENATE BILL 6329  
 SUBSTITUTE SENATE BILL 6414  
 SENATE BILL 6450  
 ENGROSSED SUBSTITUTE SENATE BILL 6476  
 SUBSTITUTE SENATE BILL 6485  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL 6504  
 SUBSTITUTE SENATE BILL 6520  
 ENGROSSED SECOND SUBSTITUTE SENATE BILL 6561  
 SENATE BILL 6593  
 ENGROSSED SENATE BILL 6610  
 SECOND SUBSTITUTE SENATE BILL 6667  
 SUBSTITUTE SENATE BILL 6674  
 SECOND SUBSTITUTE SENATE BILL 6678  
 SECOND SUBSTITUTE SENATE BILL 6679  
 SECOND SUBSTITUTE SENATE BILL 6702  
 SUBSTITUTE SENATE BILL 6706  
 SUBSTITUTE SENATE BILL 6721  
 SENATE BILL 6804  
 SUBSTITUTE SENATE BILL 6832

and the same are herewith transmitted.

Thomas Hoemann, Secretary

### SECOND READING

#### HOUSE BILL NO. 2877, by Representative Moeller

**Authorizing payment of regulated company stock in lieu of a portion of salary for educational 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 Moeller and Alexander spoke in favor of 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. 2877.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2877, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Halder, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst, Pedersen and Roberts.

HOUSE BILL NO. 2877, having received the necessary constitutional majority, was declared passed.

#### **HOUSE BILL NO. 1949, by Representatives Lias, Sells, Hasegawa, Upthegrove, Quall, Conway, Simpson and Ormsby**

**Appointing student members on the board of trustees for community colleges. Revised for 1st Substitute: Allowing appointment of student members on the boards of trustees of community colleges.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1949 was substituted for House Bill No. 1949 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1949 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 Sells and Priest spoke in favor of the 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. 1949.

**MOTION**

On motion of Representative Santos, Representatives Liias, Carlyle, Haigh, Hurst, Hunter, Kirby, Pederson, Simpson, Roberts and Williams were excused

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1949, and the bill passed the House by the following vote: Yeas, 74; Nays, 14; Absent, 0; Excused, 10.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Bailey, Blake, Campbell, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Fagan, Finn, Flannigan, Goodman, Green, Halder, Hasegawa, Herrera, Hope, Hudgins, Hunt, Jacks, Kagi, Kelley, Kenney, Kessler, Klippert, Kretz, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pettigrew, Priest, Probst, Quall, Rodne, Rolfes, Santos, Seaquist, Sells, Short, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, White, Wood and Mr. Speaker.

Voting nay: Representatives Armstrong, Chandler, Ericksen, Hinkle, Johnson, Kristiansen, Nealey, Pearson, Roach, Ross, Schmick, Shea, Taylor and Warnick.

Excused: Representatives Carlyle, Haigh, Hunter, Hurst, Kirby, Liias, Pedersen, Roberts, Simpson and Williams.

SUBSTITUTE HOUSE BILL NO. 1949, having received the necessary constitutional majority, was declared passed.

**STATEMENT FOR THE JOURNAL**

I intended to vote YEA on Substitute House Bill No. 1949.

Marko Liias, 21st District

**SECOND READING**

**HOUSE BILL NO. 2751, by Representatives Sells, Kenney, Nelson, Green, Ormsby, Conway, Campbell, Hasegawa, Seaquist, Simpson, Williams, Cody, Hudgins, Sullivan, Carlyle, Miloscia, Morrell, Hunt, Morris and Chase**

**Requiring that at least one member on each community college board of trustees be from labor.**

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 Sells and Kessler spoke in favor of the passage of the bill.

Representatives Anderson, Ericksen and Herrera spoke against passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 2751.

**MOTION**

On motion of Representative Santos, Representatives Pettigrew and Quall were excused.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2751, and the bill passed the House by the following vote: Yeas, 52; Nays, 37; Absent, 0; Excused, 9.

Voting yea: Representatives Appleton, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Jacks, Kagi, Kenney, Kessler, Kirby, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Probst, Rolfes, Santos, Seaquist, Sells, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Chandler, Condotta, Crouse, Dammeier, DeBolt, Ericksen, Fagan, Halder, Herrera, Hinkle, Hope, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Parker, Pearson, Priest, Roach, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh and Warnick.

Excused: Representatives Carlyle, Hurst, Liias, Pedersen, Pettigrew, Quall, Roberts, Simpson and Williams.

HOUSE BILL NO. 2751, having received the necessary constitutional majority, was declared passed.

**STATEMENT FOR THE JOURNAL**

I intended to vote YEA on House Bill No. 2751.

Troy X. Kelley, 28th District

**STATEMENT FOR THE JOURNAL**

I intended to vote YEA on House Bill No. 2751.

Marko Liias, 21st District

**STATEMENT FOR THE JOURNAL**

I intended to vote YEA on House Bill No. 2751.

Geoff Simpson, 47th District

**STATEMENT FOR THE JOURNAL**

I intended to vote YEA on House Bill No. 2751.

Eric Pettigrew, 37th District

**STATEMENT FOR THE JOURNAL**

I intended to vote YEA on House Bill No. 2751.

Brendan Williams, 22nd District

**SECOND READING**

**HOUSE BILL NO. 1757, by Representatives Haigh, Halder, Kessler, Takko, Hinkle, Sullivan, McCune, Hunter, Cox, Finn, Priest and Van De Wege**

**Establishing a small school district contingency fund.**

The bill was read the second time.

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

Representatives Haigh and Priest spoke in favor of 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. 1757.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1757, and the bill passed the House by the following vote: Yeas, 90; Nays, 0; Absent, 0; Excused, 8.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst, Lias, Pedersen, Pettigrew, Roberts, Simpson and Williams.

HOUSE BILL NO. 1757, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2420, by Representatives Kenney, Orcutt, Van De Wege, Conway, Kessler, Blake, Hope, Herrera, Lias, Sullivan, Campbell, Schmick, Quall, Dammeier, Chase, Takko, Morrell and Smith**

**Promoting industries that rely on the state's working land base.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2420 was substituted for House Bill No. 2420 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2420 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 Kenney and Orcutt spoke in favor of the 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. 2420.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2420, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst, Lias, Pedersen, Roberts and Williams.

SUBSTITUTE HOUSE BILL NO. 2420, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 2420.

Mary Helen Roberts, 21st District

#### SECOND READING

**HOUSE BILL NO. 2481, by Representatives Van De Wege, Kretz, Blake, Hinkle, Ormsby, Dunshee, McCoy, Eddy, Upthegrove, Carlyle, Haler, Morrell, Warnick and Kessler**

**Authorizing the department of natural resources to enter into forest biomass supply agreements.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2481 was substituted for House Bill No. 2481 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2481 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 Van De Wege and Crouse spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2481.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2481, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase,

Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst, Lias, Pedersen, Roberts and Williams.

SECOND SUBSTITUTE HOUSE BILL NO. 2481, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote YEA on Second Substitute House Bill No. 2481.

Mary Helen Roberts, 21st District

#### SECOND READING

##### **HOUSE BILL NO. 2676, by Representatives Chase and Simpson**

##### **Extending the pay back period for certain energy conservation loans.**

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 Chase and Crouse spoke in favor of 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. 2676.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2676, and the bill passed the House by the following vote: Yeas, 91; Nays, 1; Absent, 0; Excused, 6.

Voting yea: Representatives Alexander, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Wood and Mr. Speaker.

Voting nay: Representative Anderson.

Excused: Representatives Carlyle, Hurst, Lias, Pedersen, Roberts and Williams.

HOUSE BILL NO. 2676, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote YEA on House Bill No. 2676.

Mary Helen Roberts, 21st District

#### SECOND READING

##### **HOUSE BILL NO. 2677, by Representatives Chase and Simpson**

##### **Extending the pay back period for certain water conservation loans.**

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 Chase and Crouse spoke in favor of 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. 2677.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2677, and the bill passed the House by the following vote: Yeas, 91; Nays, 1; Absent, 0; Excused, 6.

Voting yea: Representatives Alexander, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Wood and Mr. Speaker.

Voting nay: Representative Anderson.

Excused: Representatives Carlyle, Hurst, Lias, Pedersen, Roberts and Williams.

HOUSE BILL NO. 2677, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote YEA on House Bill No. 2677.

Mary Helen Roberts, 21st District

**SECOND READING**

**HOUSE BILL NO. 2739, by Representatives Simpson, Pearson, Lias, Rodne, Hope, Sullivan, Priest, Wallace, Dammeier, Kristiansen and Chase**

**Concerning the enforcement of certain school or playground crosswalk violations.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2739 was substituted for House Bill No. 2739 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2739 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 Simpson, Pearson, Armstrong and Orcutt spoke in favor of the 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. 2739.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2739, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst, Lias, Pedersen, Roberts and Williams.

SUBSTITUTE HOUSE BILL NO. 2739, having received the necessary constitutional majority, was declared passed.

**STATEMENT FOR THE JOURNAL**

I intended to vote YEA on Substitute House Bill No. 2739.

Mary Helen Roberts, 21st District

**SECOND READING**

**HOUSE BILL NO. 3124, by Representatives Roberts, Kagi, Simpson and Kenney**

**Requiring a report to child protective services when a child is present in the vehicle of a person arrested for driving or**

**being in control of a vehicle while under the influence of alcohol or drugs.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 3124 was substituted for House Bill No. 3124 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 3124 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 Kagi and Haler spoke in favor of the 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. 3124.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 3124, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst, Pedersen and Roberts.

SUBSTITUTE HOUSE BILL NO. 3124, having received the necessary constitutional majority, was declared passed.

**STATEMENT FOR THE JOURNAL**

I intended to vote YEA on Substitute House Bill No. 3124.

Mary Helen Roberts, 21st District

**SECOND READING**

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

**HOUSE BILL NO. 2396, by Representatives Morrell, Hinkle, Driscoll, Campbell, Cody, Van De Wege, Carlyle, Johnson, Simpson, Hurst, O'Brien, Clibborn, Nelson, Maxwell, Conway, McCoy and Moeller**

**Concerning emergency cardiac and stroke care. Revised for 2nd Substitute: Regarding emergency cardiac and stroke care.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2396 was substituted for House Bill No. 2396 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2396 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 Hinkle spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2396.

**ROLL CALL**

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2396, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst and Pedersen.

SECOND SUBSTITUTE HOUSE BILL NO. 2396, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2487, by Representatives Goodman, Rodne, Klippert, Green, Santos, Kessler, Lias and Kelley**

**Increasing costs for administering a deferred prosecution.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2487 was substituted for House Bill No. 2487 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2487 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 Goodman and Pearson spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2487.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2487, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst and Pedersen.

SUBSTITUTE HOUSE BILL NO. 2487, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2503, by Representative Blake**

**Regarding membership on the board of natural resources.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2503 was substituted for House Bill No. 2503 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2503 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 Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2503.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2503, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler,

Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst and Pedersen.

SUBSTITUTE HOUSE BILL NO. 2503, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2565, by Representatives Ericksen, Simpson, Smith, Van De Wege, Sells, Orwall, Goodman, Morrell and Moeller**

**Mandating a twelve-hour impound hold on motor vehicles used by persons arrested for driving under the influence.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2565 was substituted for House Bill No. 2565 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2565 was read the second time.

Representative Liias moved the adoption of amendment (1085).

On page 3, line 8, after "is" strike "the" and insert "a"

On page 3, line 12, after "log" insert ", unless there are two or more registered owners. If there are two or more registered owners of the impounded vehicle, a registered owner who is not the operator of the vehicle may redeem the impounded vehicle after it arrives at the registered tow truck operator's storage facility as noted in the registered tow truck operator's master log"

On page 3, line 14, after "is" strike "the" and insert "a"

On page 3, line 19, after "log" insert ", unless there are two or more registered owners. If there are two or more registered owners of the impounded vehicle, the police officer directing the impound shall notify the operator that the impounded vehicle may be redeemed by a registered owner who is not the operator of the vehicle after the impounded vehicle arrives at the registered tow truck operator's storage facility as noted in the registered tow truck operator's master log"

On page 3, line 25, after "not" strike "the" and insert "a"

On page 3, line 26, after "by" strike "the" and insert "a"

On page 3, line 31, after "not" strike "the" and insert "a"

On page 3, line 33, after "by" strike "the" and insert "a"

Representatives Liias and Rodne spoke in favor of the adoption of the amendment.

Amendment (1085) 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 Rodne, Liias and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Moeller Presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2565.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2565, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst and Pedersen.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2565, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2566, by Representatives Simpson, Chase and Ormsby**

**Creating an exemption from impact fees for low-income housing.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2566 was substituted for House Bill No. 2566 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2566 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 Simpson and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2566.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2566, and the bill passed the House by the following vote: Yeas, 71; Nays, 24; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Armstrong, Blake, Campbell, Chase, Clibborn, Cody, Condotta, Conway, Dammeier, Darneille, DeBolt, Dickerson, Driscoll,

Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hope, Hudgins, Hunt, Hunter, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pettigrew, Priest, Probst, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Short, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Anderson, Bailey, Chandler, Crouse, Haler, Herrera, Hinkle, Johnson, Klippert, Kretz, Kristiansen, Nealey, Orcutt, Parker, Pearson, Roach, Rodne, Ross, Schmick, Shea, Smith, Taylor, Walsh and Warnick.

Excused: Representatives Carlyle, Hurst and Pedersen.

SUBSTITUTE HOUSE BILL NO. 2566, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2585, by Representatives Kelley, Kirby and Moeller**

**Concerning insurance. Revised for 1st Substitute: Addressing insurance statutes, generally.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2585 was substituted for House Bill No. 2585 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2585 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 Kelley and Bailey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2585.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2585, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst and Pedersen.

SUBSTITUTE HOUSE BILL NO. 2585, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2659, by Representatives Ormsby, Orcutt, Blake, Smith, Sullivan and Van De Wege**

**Modifying reporting requirements for timber purchases.**

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2659.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2659, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst and Pedersen.

HOUSE BILL NO. 2659, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2678, by Representatives Quall, Priest, Simpson, Sullivan and Conway**

**Modifying distributions of funds by the horse racing commission to nonprofit race meets.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2678 was substituted for House Bill No. 2678 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2678 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 Quall and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2678.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2678, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst and Pedersen.

SUBSTITUTE HOUSE BILL NO. 2678, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2735, by Representatives Goodman, Appleton, Rolfes, Seaquist, Finn, Rodne, Williams, Haigh, Pettigrew, Nelson, Darneille, Hasegawa and Ormsby**

**Encouraging the need for representation of children in dependency matters.**

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 Goodman and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2735.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2735, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko,

Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst and Pedersen.

HOUSE BILL NO. 2735, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2790, by Representative Conway**

**Making technical and clarifying changes to the liquor laws.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2790 was substituted for House Bill No. 2790 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2790 was read the second time.

Representative Conway moved the adoption of amendment (1087).

On page 19, line 14, after "by a" insert "vendor that manufacturers liquor mixers or a"

On page 19, line 26, after "by a" strike "vendor or a"

Representative Conway and Condotta spoke in favor of the adoption of the amendment.

Amendment (1087) 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 Conway and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller Presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2790.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2790, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Hasegawa.

Excused: Representatives Carlyle, Hurst and Pedersen.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2790, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2898, by Representatives Morrell, Pettigrew, Cody, Bailey, Kenney and Johnson**

**Simplifying medicaid payment for nursing facilities.**

The bill was read the second time.

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

Representative Morrell spoke in favor of passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2898.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2898, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst and Pedersen.

HOUSE BILL NO. 2898, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2961, by Representatives Campbell, Hurst, Morrell, Kelley and Ormsby**

**Establishing a statewide electronic tracking system for the nonprescription sales of ephedrine, pseudoephedrine, and phenylpropanolamine. Revised for 2nd Substitute:**  
**Establishing a statewide electronic sales tracking system for the nonprescription sales of ephedrine, pseudoephedrine, and phenylpropanolamine.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2961 was substituted for House Bill No. 2961 and the substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2961 was read the second time.

Representative Campbell moved the adoption of amendment (1115).

On page 5, line 10, after "(a)" strike "A" and insert "Beginning July 1, 2011, or the date upon which the electronic sales tracking system established under section 3 of this act is available, whichever is later, a"

On page 5, line 14, after "act," strike "beginning six months after" and insert "as long as"

On page 5, line 33, after "shall" strike "the" and insert "a granted"

On page 5, line 34, after "days." insert "The board may grant multiple exemptions for any pharmacy, shopkeeper, or itinerant vendor if the good cause shown indicates significant hardship for compliance with this section."

On page 6, line 2, after "hours." insert "For purposes of this subsection (4)(c), "good cause" includes, but is not limited to, situations where the installation of the necessary equipment to access the system is unavailable or cost prohibitive to the pharmacy, shopkeeper, or itinerant vendor."

On page 6, line 13, after "software" insert ", including inputting and retrieving data"

On page 6, line 16, after "(D)" strike "Sixteen hours of technical" and insert "Technical"

On page 7, beginning on line 16, strike all of subsection (4) Renummer the remaining subsections consecutively and correct any internal references accordingly.

On page 7, after line 20, insert the following:

"(6) The board of pharmacy may not raise licensing or registration fees to fund the rule making or implementation of this section."

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

Amendment (1115) 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 Campbell, Morrell, Wallace and Jacks spoke in favor of the passage of the bill.

Representatives Schmick and Ericksen spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2961.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2961, and the bill passed the House by the following vote: Yeas, 74; Nays, 21; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Appleton, Bailey, Blake, Campbell, Chase, Clibborn, Cody, Conway, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Nelson, O'Brien,

Orcutt, Ormsby, Orwall, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Seaquist, Sells, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Anderson, Angel, Armstrong, Chandler, Condotta, Crouse, Ericksen, Fagan, Hinkle, Kretz, Kristiansen, Morris, Nealey, Parker, Pearson, Schmick, Shea, Short, Taylor, Walsh and Warnick.

Excused: Representatives Carlyle, Hurst and Pedersen.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2961, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2986, by Representatives Simpson, Upthegrove, Campbell, Carlyle, Lias, Driscoll, Williams, Ormsby, Sullivan, Nelson, Sells, Appleton, Chase, Seaquist, Ericks, Goodman, Morrell, Green, Dickerson, Hudgins, Van De Wege, White, Maxwell, Miloscia, Conway, Moeller, Jacks, Hurst, Kenney and Hasegawa**

**Requiring the appointment of nonvoting labor members to public transportation governing bodies.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2986 was substituted for House Bill No. 2986 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2986 was read the second time.

Representative Short moved the adoption of amendment (1107).

On page 2, beginning on line 26, after "by" strike all material through "of" on line 27, and insert "all the labor organizations representing"

On page 3, beginning on line 19, after "by" strike all material through "of" on line 20, and insert "all the labor organizations representing"

On page 4, beginning on line 29, after "by" strike all material through "of" on line 30, and insert "all the labor organizations representing"

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

Representative Simpson spoke against the adoption of the amendment.

Amendment (1107) was not adopted.

With the consent of the House, amendment (1130) was withdrawn.

Representative Simpson moved the adoption of amendment (1153).

On page 2, beginning on line 29, after "years," strike all material through "session," on line 33 and insert the following:

"The chair or cochaIRS of the commission shall exclude the nonvoting member from attending any executive session held for the purpose of discussing negotiations with labor organizations.

The chair or cochaIRS may exclude the nonvoting member from attending any other executive session."

On page 3, beginning on line 22, after "authority," strike all material through "session," on line 26 and insert the following:

"The chair or cochaIRS of the county transportation authority shall exclude the nonvoting member from attending any executive session held for the purpose of discussing negotiations with labor organizations. The chair or cochaIRS may exclude the nonvoting member from attending any other executive session."

On page 4, beginning on line 31, after "system," strike all material through "session," on line 35 and insert the following:

"The chair or cochaIRS of the authority shall exclude the nonvoting member from attending any executive session held for the purpose of discussing negotiations with labor organizations. The chair or cochaIRS may exclude the nonvoting member from attending any other executive session."

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

Amendment (1153) was adopted.

Representatives Walsh moved the adoption of amendment (1108).

On page 4, beginning on line 35, after "session," insert the following:

"The requirement that a nonvoting member be appointed to the governing body of a public transportation benefit area authority does not apply to an authority that has no employees represented by a labor union."

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

Amendment (1108) 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 Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2986.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2986, and the bill passed the House by the following vote: Yeas, 66; Nays, 29; Absent, 0; Excused, 3.

Voting yea: Representatives Angel, Appleton, Bailey, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hope, Hudgins, Hunt, Hunter, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pettigrew, Priest, Probst, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Armstrong, Chandler, Condotta, Crouse, Dammeier, DeBolt, Ericksen, Haler, Herrera, Hinkle, Johnson, Klippert, Kretz, Kristiansen, Nealey, Orcutt, Parker, Pearson, Roach, Rodne, Ross, Schmick, Shea, Short, Taylor, Walsh and Warnick.

Excused: Representatives Carlyle, Hurst and Pedersen.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2986, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 3007, by Representatives Upthegrove, Orwall, Williams and Wallace**

**Authorizing airport operators to make airport property available at less than fair market rental value for public recreational or other community uses.**

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 Upthegrove and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 3007.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 3007, and the bill passed the House by the following vote: Yeas, 79; Nays, 16; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Herrera, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Seaquist, Sells, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Anderson, Chandler, Fagan, Haler, Hinkle, Klippert, Kretz, Kristiansen, Nealey, Parker, Pearson, Schmick, Shea, Short, Taylor and Warnick.

Excused: Representatives Carlyle, Hurst and Pedersen.

HOUSE BILL NO. 3007, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 3032, by Representatives Simpson and Bailey**

**Defining normal wear and tear for a motor vehicle for the purpose of a service contract.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 3032 was substituted for House Bill No. 3032 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 3032 was read the second time.

Representative Simpson moved the adoption of amendment (1067).

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 48.110.020 and 2006 c 274 s 3 and 2006 c 36 s 17 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter.

(1) "Administrator" means the person who is responsible for the administration of the service contracts, the service contracts plan, or the protection product guarantees.

(2) "Commissioner" means the insurance commissioner of this state.

(3) "Consumer" means an individual who buys any tangible personal property that is primarily for personal, family, or household use.

(4) "Incidental costs" means expenses specified in the guarantee incurred by the protection product guarantee holder related to damages to other property caused by the failure of the protection product to perform as provided in the guarantee. "Incidental costs" may include, without limitation, insurance policy deductibles, rental vehicle charges, the difference between the actual value of the stolen vehicle at the time of theft and the cost of a replacement vehicle, sales taxes, registration fees, transaction fees, and mechanical inspection fees. Incidental costs may be paid under the provisions of the protection product guarantee in either a fixed amount specified in the protection product guarantee or sales agreement, or by the use of a formula itemizing specific incidental costs incurred by the protection product guarantee holder to be paid.

(5) "Protection product" means any product offered or sold with a guarantee to repair or replace another product or pay incidental costs upon the failure of the product to perform pursuant to the terms of the protection product guarantee.

(6) "Protection product guarantee" means a written agreement by a protection product guarantee provider to repair or replace another product or pay incidental costs upon the failure of the protection product to perform pursuant to the terms of the protection product guarantee.

(7) "Protection product guarantee provider" means a person who is contractually obligated to the protection product guarantee holder under the terms of the protection product guarantee. Protection product guarantee provider does not include an authorized insurer providing a reimbursement insurance policy.

(8) "Protection product guarantee holder" means a person who is the purchaser or permitted transferee of a protection product guarantee.

(9) "Protection product seller" means the person who sells the protection product to the consumer.

(10) "Maintenance agreement" means a contract of limited duration that provides for scheduled maintenance only.

(11) "Motor vehicle" means any vehicle subject to registration under chapter 46.16 RCW.

(12) "Person" means an individual, partnership, corporation, incorporated or unincorporated association, joint stock company, reciprocal insurer, syndicate, or any similar entity or combination of entities acting in concert.

(13) "Premium" means the consideration paid to an insurer for a reimbursement insurance policy.

(14) "Provider fee" means the consideration paid by a consumer for a service contract.

(15) "Reimbursement insurance policy" means a policy of insurance that is issued to a service contract provider or a protection product guarantee provider to provide reimbursement to the service contract provider or the protection product guarantee provider or to pay on behalf of the service contract provider or the protection product guarantee provider all contractual obligations incurred by the service contract provider or the protection product guarantee provider under the terms of the insured service contracts or protection product guarantees issued or sold by the service contract provider or the protection product guarantee provider.

(16)(a) "Service contract" means a contract or agreement for consideration over and above the lease or purchase price of the property for a specific duration to perform the repair, replacement, or maintenance of property or the indemnification for repair, replacement, or maintenance for operational or structural failure due to a defect in materials or workmanship, or normal wear and tear. Service contracts may provide for the repair, replacement, or maintenance of property for damage resulting from power surges and accidental damage from handling, with or without additional provision for incidental payment of indemnity under limited circumstances, including towing, rental, emergency road services, or other expenses relating to the failure of the product or of a component part thereof.

(b) "Service contract" also includes a contract or agreement sold for separately stated consideration for a specific duration to perform the repair or replacement of tires and/or wheels damaged as a result of coming into contact with road hazards including but not limited to potholes, rocks, wood debris, metal parts, glass, plastic, curbs, or composite scraps. However, a contract or agreement meeting the definition under this subsection (16)(b) in which the party obligated to perform is either a tire or wheel manufacturer or a motor vehicle manufacturer is exempt from the requirements of this chapter.

(17) "Service contract holder" or "contract holder" means a person who is the purchaser or holder of a service contract.

(18) "Service contract provider" means a person who is contractually obligated to the service contract holder under the terms of the service contract.

(19) "Service contract seller" means the person who sells the service contract to the consumer.

(20) "Warranty" means a warranty made solely by the manufacturer, importer, or seller of property or services without consideration; that is not negotiated or separated from the sale of the product and is incidental to the sale of the product; and that guarantees indemnity for defective parts, mechanical or electrical breakdown, labor, or other remedial measures, such as repair or replacement of the property or repetition of services.

(21) "Home heating fuel service contract" means a contract or agreement for a separately stated consideration for a specific duration to perform the repair, replacement, or maintenance of a home heating fuel supply system including the fuel tank and all visible pipes, caps, lines, and associated parts or the indemnification for repair, replacement, or maintenance for operational or structural failure due to a defect in materials or workmanship, or normal wear and tear."

Correct the title.

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

Amendment (1067) 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 Bailey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 3032.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 3032, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst and Pedersen.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 3032, having received the necessary constitutional majority, was declared passed.

With the consent of the House, House Rule 13(C) was suspended.

### HOUSE BILL NO. 3060, by Representatives Simpson and Kirby

#### Modifying surplus line coverage provisions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 3060 was substituted for House Bill No. 3060 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 3060 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 Simpson and Bailey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 3060.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 3060, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst and Pedersen.

SUBSTITUTE HOUSE BILL NO. 3060, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2547, by Representatives Conway, Condotta, Maxwell, Sullivan, Roach, Kessler, Sells, Kenney, Appleton, Hunter, Pedersen, Upthegrove, Hinkle, Ormsby, Herrera, Kretz, Hasegawa, Campbell, Takko, Springer, Dammeier and Haler**

**Concerning franchise agreements between new motor vehicle dealers and manufacturers.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2547 was substituted for House Bill No. 2547 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2547 was read the second time.

Representative Conway moved the adoption of amendment (1144).

On page 2, line 12, after "offered," strike "is" and insert "such that continuing to retail the line is no longer economically viable for a dealer is, at the option of the dealer,"

On page 3, line 9, after "RCW 46.96.070(2)" insert "or a voluntary termination, cancellation, or nonrenewal initiated by the dealer"

On page 4, beginning on line 11, after "means the" strike all material through "calculations" on line 27 and insert "manufacturer's suggested retail price for the part or the dealer's cost for the part plus a forty percent markup, whichever is greater"

On page 12, line 27, after "facility" insert "that is within the relevant market area, as defined in RCW 46.96.140, of the make or line to be relocated"

On page 13, beginning on line 34, after "condition" strike all material through "site control" on line 35 and insert "manufacturer, distributor, factory branch, or factory representative sales, services, or parts incentives upon the manufacturer obtaining site control, including rights to purchase or lease the dealer's facility,"

Representatives Conway and Condotta spoke in favor of the adoption of the amendment.

Amendment (1144) 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 Conway and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2547.

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2547, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst and Pedersen.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2547, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2886, by Representatives Angel, Simpson and Wallace**

**Concerning the adoption of rules by the building code council regarding carbon monoxide alarm installation.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2886 was substituted for House Bill No. 2886 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2886 was read the second time.

Representative Simpson moved the adoption of amendment (1152).

On page 1, line 18, after "occupancies" insert ", except existing owner-occupied single-family residences legally occupied before July 26, 2009,"

On page 2, beginning on line 13, after "(3)" strike all material through "residences" on line 19 and insert "(a)(i) Except as provided otherwise in (a)(ii) of this subsection, existing owner-occupied single-family residences shall be equipped with carbon monoxide alarms where any alterations, repairs, or additions requiring a building permit occur."

(ii) The following activities are exempt from the requirements of (a)(i) of this subsection: Work involving the exterior surfaces of dwellings, such as the replacement of roofing or siding, the addition or replacement of windows or doors, or the addition of a porch or deck, and exterior work involving the installation, alteration, or repairs of plumbing or mechanical systems.

(b) The state building code council must adopt rules by July 1, 2010, in accordance with the requirements of this subsection (3), requiring that owner-occupied single-family residences are equipped with carbon monoxide alarms when any interior alterations, interior repairs, or interior additions to a single-family residence requiring a building permit occur."

On page 2, after line 29, insert the following:

"Sec. 2. RCW 64.06.020 and 2009 c 505 s 3 and 2009 c 130 s 2 are each reenacted and amended to read as follows:

(1) In a transaction for the sale of improved residential real property, the seller shall, unless the buyer has expressly waived the right to receive the disclosure statement under RCW 64.06.010, or unless the transfer is otherwise exempt under RCW 64.06.010, deliver to the buyer a completed seller disclosure statement in the following format and that contains, at a minimum, the following information:

**INSTRUCTIONS TO THE SELLER**

Please complete the following form. Do not leave any spaces blank. If the question clearly does not apply to the property write "NA." If the answer is "yes" to any \* items, please explain on attached sheets. Please refer to the line number(s) of the question(s) when you provide your explanation(s). For your protection you must date and sign each page of this disclosure statement and each attachment. Delivery of the disclosure statement must occur not later than five business days, unless otherwise agreed, after mutual acceptance of a written contract to purchase between a buyer and a seller.

**NOTICE TO THE BUYER**

THE FOLLOWING DISCLOSURES ARE MADE BY SELLER ABOUT THE CONDITION OF THE PROPERTY LOCATED AT

("THE PROPERTY"), OR AS LEGALLY DESCRIBED ON ATTACHED EXHIBIT A.

SELLER MAKES THE FOLLOWING DISCLOSURES OF EXISTING MATERIAL FACTS OR MATERIAL DEFECTS TO BUYER BASED ON SELLER'S ACTUAL KNOWLEDGE OF THE PROPERTY AT THE TIME SELLER COMPLETES THIS DISCLOSURE STATEMENT. UNLESS YOU AND SELLER OTHERWISE AGREE IN WRITING, YOU HAVE THREE BUSINESS DAYS FROM THE DAY SELLER OR SELLER'S AGENT DELIVERS THIS DISCLOSURE STATEMENT TO YOU TO RESCIND THE AGREEMENT BY DELIVERING A SEPARATELY SIGNED WRITTEN STATEMENT OF RESCISSION TO SELLER OR SELLER'S AGENT. IF THE SELLER DOES NOT GIVE YOU A COMPLETED DISCLOSURE STATEMENT, THEN YOU MAY WAIVE THE RIGHT TO RESCIND PRIOR TO OR AFTER THE TIME YOU ENTER INTO A SALE AGREEMENT.

THE FOLLOWING ARE DISCLOSURES MADE BY SELLER AND ARE NOT THE REPRESENTATIONS OF ANY REAL ESTATE LICENSEE OR OTHER PARTY. THIS INFORMATION IS FOR DISCLOSURE ONLY AND IS NOT INTENDED TO BE A PART OF ANY WRITTEN AGREEMENT BETWEEN BUYER AND SELLER.

FOR A MORE COMPREHENSIVE EXAMINATION OF THE SPECIFIC CONDITION OF THIS PROPERTY YOU ARE ADVISED TO OBTAIN AND PAY FOR THE SERVICES OF QUALIFIED EXPERTS TO INSPECT THE PROPERTY, WHICH MAY INCLUDE, WITHOUT LIMITATION, ARCHITECTS, ENGINEERS, LAND SURVEYORS, PLUMBERS, ELECTRICIANS, ROOFERS, BUILDING INSPECTORS, ON-SITE WASTEWATER TREATMENT INSPECTORS, OR STRUCTURAL PEST INSPECTORS. THE PROSPECTIVE BUYER AND SELLER MAY WISH TO OBTAIN PROFESSIONAL ADVICE OR INSPECTIONS OF THE PROPERTY OR TO PROVIDE APPROPRIATE PROVISIONS IN A CONTRACT BETWEEN THEM WITH RESPECT TO ANY ADVICE, INSPECTION, DEFECTS OR WARRANTIES.

Seller . . . is/ . . . is not occupying the property.

**I. SELLER'S DISCLOSURES:**

\*If you answer "Yes" to a question with an asterisk (\*), please explain your answer and attach documents, if available and not otherwise publicly recorded. If necessary, use an attached sheet.

**1. TITLE**

- Yes  No  Don't know A. Do you have legal authority to sell the property? If no, please explain.
- Yes  No  Don't know \*B. Is title to the property subject to any of the following?
  - (1) First right of refusal
  - (2) Option
  - (3) Lease or rental agreement
  - (4) Life estate?
- Yes  No  Don't know \*C. Are there any encroachments, boundary agreements, or boundary disputes?
- Yes  No  Don't know \*D. Is there a private road or easement agreement for access to the property?
- Yes  No  Don't know \*E. Are there any rights-of-way, easements, or access limitations that may affect the Buyer's use of the property?
- Yes  No  Don't know \*F. Are there any written agreements for joint maintenance of an easement or right-of-way?
- Yes  No  Don't know \*G. Is there any study, survey project, or notice that would adversely

<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know</p>	<p>affect the property? *H. Are there any pending or existing assessments against the property?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know</p>	<p>such as a water right permit, certificate, or claim? (a) If yes, has the water right permit, certificate, or claim been assigned, transferred, or changed? * (b) If yes, has all or any portion of the water right not been used for five or more successive years? * (7) Are there any defects in the operation of the water system (e.g. pipes, tank, pump, etc.)?</p>
<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know</p>	<p>*I. Are there any zoning violations, nonconforming uses, or any unusual restrictions on the property that would affect future construction or remodeling?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know</p>	<p></p>
<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know</p>	<p>*J. Is there a boundary survey for the property?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know</p>	<p></p>
<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know</p>	<p>*K. Are there any covenants, conditions, or restrictions recorded against the property?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't know</p>	<p></p>

**2. WATER**

**A. Household Water**

(1) The source of water for the property is:  
 Private or publicly owned water system  
 Private well serving only the subject property . . . . .  
 Other water system  
 Don't know  
 \*If shared, are there any written agreements?  
 \* (2) Is there an easement (recorded or unrecorded) for access to and/or maintenance of the water source?  
 \* (3) Are there any problems or repairs needed?  
 (4) During your ownership, has the source provided an adequate year-round supply of potable water? If no, please explain.  
 \* (5) Are there any water treatment systems for the property? If yes, are they  Leased  Owned  
 Don't know  
 \* (6) Are there any water rights for the property associated with its domestic water supply,

**B. Irrigation Water**

(1) Are there any irrigation water rights for the property, such as a water right permit, certificate, or claim?  
 \* (a) If yes, has all or any portion of the water right not been used for five or more successive years?  
 \* (b) If so, is the certificate available? (If yes, please attach a copy.)  
 \* (c) If so, has the water right permit, certificate, or claim been assigned, transferred, or changed?  
 \* (2) Does the property receive irrigation water from a ditch company, irrigation district, or other entity? If so, please identify the entity that supplies water to the property:

**C. Outdoor Sprinkler System**

Yes  No  Don't know

(1) Is there an outdoor sprinkler system for the property?

...

By whom: .....

Yes  No  Don't know

\*(2) If yes, are there any defects in the system?

Don't know

(5) For how many bedrooms was the on-site sewage system approved?  
bedrooms

Yes  No  Don't know

\*(3) If yes, is the sprinkler system connected to irrigation water?

**3. SEWER/ON-SITE SEWAGE SYSTEM**

A. The property is served by:  
 Public sewer system,  
 On-site sewage system (including pipes, tanks, drainfields, and all other component parts)  
 Other disposal system, please describe:

Yes  No  Don't know

E. Are all plumbing fixtures, including laundry drain, connected to the sewer/on-site sewage system? If no, please explain: .....

Yes  No  Don't know

\*F. Have there been any changes or repairs to the on-site sewage system?

Yes  No  Don't know

G. Is the on-site sewage system, including the drainfield, located entirely within the boundaries of the property? If no, please explain.

Yes  No  Don't know

B. If public sewer system service is available to the property, is the house connected to the sewer main? If no, please explain.

Yes  No  Don't know

\*H. Does the on-site sewage system require monitoring and maintenance services more frequently than once a year?

Yes  No  Don't know

\*C. Is the property subject to any sewage system fees or charges in addition to those covered in your regularly billed sewer or on-site sewage system maintenance service?

D. If the property is connected to an on-site sewage system:

NOTICE: IF THIS RESIDENTIAL REAL PROPERTY DISCLOSURE STATEMENT IS BEING COMPLETED FOR NEW CONSTRUCTION WHICH HAS NEVER BEEN OCCUPIED, THE SELLER IS NOT REQUIRED TO COMPLETE THE QUESTIONS LISTED IN ITEM 4. STRUCTURAL OR ITEM 5. SYSTEMS AND FIXTURES

**4. STRUCTURAL**

Yes  No  Don't know

\*(1) Was a permit issued for its construction, and was it approved by the local health department or district following its construction?

Yes  No  Don't know

\*A. Has the roof leaked within the last five years?

Yes  No  Don't know

\*B. Has the basement flooded or leaked?

Yes  No  Don't know

\*C. Have there been any conversions, additions, or remodeling?

Yes  No  Don't know

\*(1) If yes, were all building permits obtained?

Yes  No  Don't know

\*(3) Are there any defects in the operation of the on-site sewage system?

Yes  No  Don't know

\*(2) If yes, were all final inspections obtained?

Yes  No  Don't know

D. Do you know the age of the house? If yes, year of original construction:

Don't know

(4) When was it last inspected?

Yes  No  Don't know

\*E. Has there been any settling, slippage, or sliding of the property or its improvements?

Yes  No  Don't know

\*F. Are there any defects with the following: (If yes, please check applicable items and explain.)

Foundations  Decks  Exterior Walls

Chimneys  Interior Walls  Fire Alarm

Doors  Windows  Patio

Ceilings  Slab Floors  Driveways

Pools  Hot Tub  Sauna

Sidewalks  Outbuildings  Fireplaces

Garage Floors  Walkways  Siding

Other  Wood Stoves

Yes  No  Don't know

\*G. Was a structural pest or "whole house" inspection done? If yes, when and by whom was the inspection completed? .....

Yes  No  Don't know

H. During your ownership, has the property had any wood destroying organism or pest infestation?

Yes  No  Don't know

I. Is the attic insulated?

Yes  No  Don't know

J. Is the basement insulated?

Yes  No  Don't know

K. Does the property have a carbon monoxide alarm?

**5. SYSTEMS AND FIXTURES**

\*A. If any of the following systems or fixtures are included with the transfer, are there any defects? If yes, please explain.

Yes  No  Don't know

Electrical system, including wiring, switches, outlets, and service

Yes  No  Don't know

Plumbing system, including pipes, faucets, fixtures, and toilets

Yes  No  Don't know

Hot water tank

Yes  No  Don't know

Garbage disposal

Yes  No  Don't know

Appliances

Yes  No  Don't know

Sump pump

Yes  No  Don't know

Heating and cooling systems

Yes  No  Don't know

Security system

Owned  Leased

Other .....

\*B. If any of the following fixtures or property is included with the transfer, are they leased? (If yes, please attach copy of lease.)

Yes  No  Don't know

Security system .....

Yes  No  Don't know

Tanks (type): .....

Yes  No  Don't know

Satellite dish .....

Other: .....

\*C. Are any of the following kinds of wood burning appliances present at the property?

Yes  No  Don't know

(1) Woodstove?

Yes  No  Don't know

(2) Fireplace insert?

Yes  No  Don't know

(3) Pellet stove?

Yes  No  Don't know

(4) Fireplace?

Yes  No  Don't know

If yes, are all of the (1) woodstoves or (2) fireplace inserts certified by the U.S. Environmental Protection Agency as clean burning appliances to improve air quality and public health?

**6. HOMEOWNERS' ASSOCIATION/COMMON INTERESTS**

Yes  No  Don't know

A. Is there a Homeowners' Association? Name of Association and contact information for an officer, director, employee, or other authorized agent, if any, who may provide the association's financial statements, minutes, bylaws, fining policy, and other information that is not publicly

available:

contamination?

- Yes  No  Don't know B. Are there regular periodic assessments: \$ . . . per  Month  Year  Other .....
- Yes  No  Don't know \*C. Are there any pending special assessments?
- Yes  No  Don't know \*D. Are there any shared "common areas" or any joint maintenance agreements (facilities such as walls, fences, landscaping, pools, tennis courts, walkways, or other areas co-owned in undivided interest with others)?

- Yes  No  Don't know

- \*H. Are there transmission poles or other electrical utility equipment installed, maintained, or buried on the property that do not provide utility service to the structures on the property?
- \*I. Has the property been used as a legal or illegal dumping site?
- \*J. Has the property been used as an illegal drug manufacturing site?
- \*K. Are there any radio towers in the area that cause interference with cellular telephone reception?

**7. ENVIRONMENTAL**

- Yes  No  Don't know \*A. Have there been any flooding, standing water, or drainage problems on the property that affect the property or access to the property?
- Yes  No  Don't know \*B. Does any part of the property contain fill dirt, waste, or other fill material?
- Yes  No  Don't know \*C. Is there any material damage to the property from fire, wind, floods, beach movements, earthquake, expansive soils, or landslides?
- Yes  No  Don't know D. Are there any shorelines, wetlands, floodplains, or critical areas on the property?
- Yes  No  Don't know \*E. Are there any substances, materials, or products in or on the property that may be environmental concerns, such as asbestos, formaldehyde, radon gas, lead-based paint, fuel or chemical storage tanks, or contaminated soil or water?
- Yes  No  Don't know \*F. Has the property been used for commercial or industrial purposes?
- Yes  No  Don't know \*G. Is there any soil or groundwater

- Yes  No  Don't know

**8. MANUFACTURED AND MOBILE HOMES**

- If the property includes a manufactured or mobile home,
- \*A. Did you make any alterations to the home? If yes, please describe the alterations: .....
  - \*B. Did any previous owner make any alterations to the home?
  - \*C. If alterations were made, were permits or variances for these alterations obtained?

**9. FULL DISCLOSURE BY SELLERS**

- A. Other conditions or defects:  
 \*Are there any other existing material defects affecting the property that a prospective buyer should know about?  
 B. Verification:

The foregoing answers and attached explanations (if any) are complete and correct to the best of my/our knowledge and I/we have received a copy hereof.  
 I/we authorize all of my/our real estate

licensees, if any, to deliver a copy of this disclosure statement to other real estate licensees and all prospective buyers of the property.

DATE ..... SELLER ..... SELLER .....

NOTICE TO THE BUYER

INFORMATION REGARDING REGISTERED SEX OFFENDERS MAY BE OBTAINED FROM LOCAL LAW ENFORCEMENT AGENCIES. THIS NOTICE IS INTENDED ONLY TO INFORM YOU OF WHERE TO OBTAIN THIS INFORMATION AND IS NOT AN INDICATION OF THE PRESENCE OF REGISTERED SEX OFFENDERS.

II. BUYER'S ACKNOWLEDGMENT

- A. Buyer hereby acknowledges that: Buyer has a duty to pay diligent attention to any material defects that are known to Buyer or can be known to Buyer by utilizing diligent attention and observation.
B. The disclosures set forth in this statement and in any amendments to this statement are made only by the Seller and not by any real estate licensee or other party.
C. Buyer acknowledges that, pursuant to RCW 64.06.050(2), real estate licensees are not liable for inaccurate information provided by Seller, except to the extent that real estate licensees know of such inaccurate information.
D. This information is for disclosure only and is not intended to be a part of the written agreement between the Buyer and Seller.
E. Buyer (which term includes all persons signing the "Buyer's acceptance" portion of this disclosure statement below) has received a copy of this Disclosure Statement (including attachments, if any) bearing Seller's signature.

DISCLOSURES CONTAINED IN THIS DISCLOSURE STATEMENT ARE PROVIDED BY SELLER BASED ON SELLER'S ACTUAL KNOWLEDGE OF THE PROPERTY AT THE TIME SELLER COMPLETES THIS DISCLOSURE STATEMENT. UNLESS BUYER AND SELLER OTHERWISE AGREE IN WRITING, BUYER SHALL HAVE THREE BUSINESS DAYS FROM THE DAY SELLER OR SELLER'S AGENT DELIVERS THIS DISCLOSURE STATEMENT TO RESCIND THE AGREEMENT BY DELIVERING A SEPARATELY SIGNED WRITTEN STATEMENT OF RESCISSION TO SELLER OR SELLER'S AGENT. YOU MAY

WAIVE THE RIGHT TO RESCIND PRIOR TO OR AFTER THE TIME YOU ENTER INTO A SALE AGREEMENT.

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(2) If the disclosure statement is being completed for new construction which has never been occupied, the disclosure statement is not required to contain and the seller is not required to complete the questions listed in item 4. Structural or item 5. Systems and Fixtures.

(3) The seller disclosure statement shall be for disclosure only, and shall not be considered part of any written agreement between the buyer and seller of residential property. The seller disclosure statement shall be only a disclosure made by the seller, and not any real estate licensee involved in the transaction, and shall not be construed as a warranty of any kind by the seller or any real estate licensee involved in the transaction."

Correct the title.

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

Amendment (1152) 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 Angel and Simpson spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2886.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2886, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst and Pedersen.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2886, having received the necessary constitutional majority, was declared passed.

**HOUSE JOINT MEMORIAL NO. 4024, by Representatives Angel, Wallace, Haler and Moeller**

**Concerning a memorial petitioning for the elimination of the term "mentally retarded" in federal law.**

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Joint Memorial No. 4024.

**ROLL CALL**

The Clerk called the roll on the final passage of House Joint Memorial No. 4024, and the bill passed the House by the following vote: Yeas, 94; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Hunter.

Excused: Representatives Carlyle, Hurst and Pedersen.

HOUSE JOINT MEMORIAL NO. 4024, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1317, by Representatives Kessler, Rodne, Simpson, O'Brien, Hunt, Hurst, Ormsby, Moeller, Chase, Sullivan and Kelley**

**Regarding the disclosure of public records containing information used to locate or identify employees of criminal justice agencies.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1317 was substituted for House Bill No. 1317 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1317 was read the second time.

Representative Alexander moved the adoption of amendment (1097).

On page 2, line 22, after "employees" insert "and workers"

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

Amendment (1097) was adopted.

Representative Ericks moved the adoption of amendment (1139).

On page 2, line 22, after "10.97.030" insert ". The news media, as defined in RCW 5.58.010(5), shall have access to the photographs and year of birth"

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

Amendment (1139) 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 Kessler and Armstrong spoke in favor of the passage of the bill.

The Speaker (Representative Moeller Presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1317.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1317, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst and Pedersen.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1317, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2492, by Representatives Simpson, Green, White, Conway, Ericks and Morrell**

**Addressing shared leave for members of the law enforcement officers' and firefighters' retirement system, plan 2.**

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 Simpson and Alexander spoke in favor of 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. 2492.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2492, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst and Pedersen.

HOUSE BILL NO. 2492, having received the necessary constitutional majority, was declared passed.

### THIRD READING

There being no objection, the House resumed consideration of Substitute House Bill No. 2747.

There being no objection, the rules were suspended, and SUBSTITUTE HOUSE BILL NO. 2747 was returned to second reading for the purpose of amendment.

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

### SECOND READING

**SUBSTITUTE HOUSE BILL NO. 2747, by House Committee on Human Services (originally sponsored by Representatives Darneille, Cody, Williams, Kagi, Pedersen, Nelson, Dickerson, Hasegawa and Chase)**

#### Limiting the use of restraints on pregnant women or youth.

Representative Darneille moved the adoption of amendment (1141).

Strike everything after the enacting clause and insert the following:

"Sec. 3. RCW 72.09.015 and 2009 c 521 s 165 are each amended to read as follows:

The definitions in this section apply throughout this chapter.

(1) "Adult basic education" means education or instruction designed to achieve general competence of skills in reading,

writing, and oral communication, including English as a second language and preparation and testing services for obtaining a high school diploma or a general equivalency diploma.

(2) "Base level of correctional services" means the minimum level of field services the department of corrections is required by statute to provide for the supervision and monitoring of offenders.

(3) "Community custody" has the same meaning as that provided in RCW 9.94A.030 and also includes community placement and community supervision as defined in RCW 9.94B.020.

(4) "Contraband" means any object or communication the secretary determines shall not be allowed to be: (a) Brought into; (b) possessed while on the grounds of; or (c) sent from any institution under the control of the secretary.

(5) "Correctional facility" means a facility or institution operated directly or by contract by the secretary for the purposes of incarcerating adults in total or partial confinement as defined in RCW 9.94A.030.

(6) "County" means a county or combination of counties.

~~((6))~~ (7) "Department" means the department of corrections.

~~((7))~~ (8) "Earned early release" means earned release as authorized by RCW 9.94A.728.

~~((8))~~ (9) "Evidence-based" means a program or practice that has had multiple-site random controlled trials across heterogeneous populations demonstrating that the program or practice is effective in reducing recidivism for the population.

~~((9))~~ (10) "Extended family visit" means an authorized visit between an inmate and a member of his or her immediate family that occurs in a private visiting unit located at the correctional facility where the inmate is confined.

~~((10))~~ (11) "Good conduct" means compliance with department rules and policies.

~~((11))~~ (12) "Good performance" means successful completion of a program required by the department, including an education, work, or other program.

~~((12))~~ (13) "Immediate family" means the inmate's children, stepchildren, grandchildren, great grandchildren, parents, stepparents, grandparents, great grandparents, siblings, and a person legally married to or in a state registered domestic partnership with an inmate. "Immediate family" does not include an inmate adopted by another inmate or the immediate family of the adopted or adopting inmate.

~~((13))~~ (14) "Indigent inmate," "indigent," and "indigency" mean an inmate who has less than a ten-dollar balance of disposable income in his or her institutional account on the day a request is made to utilize funds and during the thirty days previous to the request.

~~((14))~~ (15) "Individual reentry plan" means the plan to prepare an offender for release into the community. It should be developed collaboratively between the department and the offender and based on an assessment of the offender using a standardized and comprehensive tool to identify the offender's risks and needs. The individual reentry plan describes actions that should occur to prepare individual offenders for release from prison or jail, specifies the supervision and services they will experience in the community, and describes an offender's eventual discharge to aftercare upon successful completion of supervision. An individual reentry plan is updated throughout the period of an offender's incarceration and supervision to be relevant to the offender's current needs and risks.

~~((15))~~ (16) "Inmate" means a person committed to the custody of the department, including but not limited to persons residing in a correctional institution or facility and persons released from such facility on furlough, work release, or community

custody, and persons received from another state, state agency, county, or federal jurisdiction.

~~((46))~~ (17) "Labor" means the period of time before a birth during which contractions are of sufficient frequency, intensity, and duration to bring about effacement and progressive dilation of the cervix.

(18) "Physical restraint" means the use of any bodily force or physical intervention to control an offender or limit an offender's freedom of movement in a way that does not involve a mechanical restraint. "Physical restraint" does not include momentary periods of minimal physical restriction by direct person-to-person contact, without the aid of mechanical restraint, accomplished with limited force and designed to:

(a) Prevent an offender from completing an act that would result in potential bodily harm to self or others or damage to property;

(b) Remove a disruptive offender who is unwilling to leave an area voluntarily; or

(c) Guide an offender from one location to another.

(19) "Postpartum recovery" means (a) the entire period a woman or youth is in the hospital, birthing center, or clinic after giving birth and (b) an additional time period, if any, a treating physician determines is necessary for healing after the woman or youth leaves the hospital, birthing center, or clinic.

(20) "Privilege" means any goods or services, education or work programs, or earned early release days, the receipt of which are directly linked to an inmate's (a) good conduct; and (b) good performance. Privileges do not include any goods or services the department is required to provide under the state or federal Constitution or under state or federal law.

~~((47))~~ (21) "Promising practice" means a practice that presents, based on preliminary information, potential for becoming a research-based or consensus-based practice.

~~((48))~~ (22) "Research-based" means a program or practice that has some research demonstrating effectiveness, but that does not yet meet the standard of evidence-based practices.

~~((49))~~ (23) "Restraints" means anything used to control the movement of a person's body or limbs and includes:

(a) Physical restraint; or

(b) Mechanical restraint including, but not limited to, metal handcuffs, plastic ties, ankle restraints, leather cuffs, other hospital-type restraints, tasers, or batons.

(24) "Secretary" means the secretary of corrections or his or her designee.

~~((20))~~ (25) "Significant expansion" includes any expansion into a new product line or service to the class I business that results from an increase in benefits provided by the department, including a decrease in labor costs, rent, or utility rates (for water, sewer, electricity, and disposal), an increase in work program space, tax advantages, or other overhead costs.

~~((21))~~ (26) "Superintendent" means the superintendent of a correctional facility under the jurisdiction of the Washington state department of corrections, or his or her designee.

~~((22))~~ (27) "Transportation" means the conveying, by any means, of an incarcerated pregnant woman or youth from the correctional facility to another location from the moment she leaves the correctional facility to the time of arrival at the other location, and includes the escorting of the pregnant incarcerated woman or youth from the correctional facility to the transport vehicle and from the vehicle to the other location.

(28) "Unfair competition" means any net competitive advantage that a business may acquire as a result of a correctional industries contract, including labor costs, rent, tax advantages, utility rates (water, sewer, electricity, and disposal), and other overhead costs. To determine net competitive

advantage, the correctional industries board shall review and quantify any expenses unique to operating a for-profit business inside a prison.

~~((23))~~ (29) "Vocational training" or "vocational education" means "vocational education" as defined in RCW 72.62.020.

~~((24))~~ (30) "Washington business" means an in-state manufacturer or service provider subject to chapter 82.04 RCW existing on June 10, 2004.

~~((25))~~ (31) "Work programs" means all classes of correctional industries jobs authorized under RCW 72.09.100.

**NEW SECTION. Sec. 4.** A new section is added to chapter 72.09 RCW to read as follows:

(1)(a) Except in extraordinary circumstances, no restraints of any kind may be used on any pregnant woman or youth incarcerated in a correctional facility during transportation to and from visits to medical providers and court proceedings during the third trimester of her pregnancy, or during postpartum recovery.

(b) While the pregnant woman or youth is in labor or in childbirth, no restraints of any kind may be used unless specifically requested by medical personnel.

(2) Extraordinary circumstances exist:

(a) Where a corrections officer makes an individualized determination, based upon custody level or past behavior of the pregnant woman or youth, that restraints will be necessary to prevent escape or injury to herself, medical or correctional personnel, or others. Under these circumstances, prior authorization must be obtained from medical personnel before the use of restraints is permitted. The authorization must identify the type of restraints that are appropriate to address the risk of escape or injury;

(b) Where a corrections officer determines, based upon the current behavior of the pregnant woman or youth, restraints are necessary to prevent escape or injury to herself, medical or correctional personnel, or others.

(3) If the doctor, nurse, or other health professional treating the pregnant woman or youth requests that restraints not be used, the corrections officer accompanying the pregnant woman or youth shall immediately remove all restraints.

(4) Anytime restraints are used on a pregnant woman or youth, the restraints must be the least restrictive available and the most reasonable under the circumstances, but in no case shall leg irons or waist chains be used on any pregnant woman or youth.

(5) No correctional personnel shall be present during the pregnant woman's or youth's labor or childbirth while she is being attended to by medical personnel, unless specifically requested by medical personnel. If the employee's presence is requested by medical personnel, the employee should be female if practicable.

**NEW SECTION. Sec. 5.** A new section is added to chapter 72.09 RCW to read as follows:

(1) The secretary shall provide an informational packet about the requirements of this act to all medical staff and nonmedical staff who are involved in the transportation of women and youth who are pregnant, as well as other staff the secretary deems appropriate. The informational packet provided to staff under this section shall be developed as provided in section 10 of this act.

(2) The secretary shall cause the requirements of this act to be provided to all women or youth who are pregnant, at the time the department assumes custody of the person in a correctional facility. In addition, the secretary shall cause a notice containing the requirements of this act to be posted in locations in which medical care is provided within the facilities.

**Sec. 6.** RCW 70.48.020 and 2009 c 411 s 3 are each reenacted and amended to read as follows:

As used in this chapter the words and phrases in this section shall have the meanings indicated unless the context clearly requires otherwise.

(1) "Administration" means the direct application of a drug whether by ingestion or inhalation, to the body of an inmate by a practitioner or nonpractitioner jail personnel.

(2) "Correctional facility" means a facility operated by a governing unit primarily designed, staffed, and used for the housing of adult persons serving terms not exceeding one year for the purposes of punishment, correction, and rehabilitation following conviction of a criminal offense.

(3) "Deliver" or "delivery" means the actual, constructive, or attempted transfer from one person to another of medication whether or not there is an agency relationship.

(4) "Detention facility" means a facility operated by a governing unit primarily designed, staffed, and used for the temporary housing of adult persons charged with a criminal offense prior to trial or sentencing and for the housing of adult persons for purposes of punishment and correction after sentencing or persons serving terms not to exceed ninety days.

(5) "Drug" and "legend drug" have the same meanings as provided in RCW 69.41.010.

(6) "Governing unit" means the city and/or county or any combinations of cities and/or counties responsible for the operation, supervision, and maintenance of a jail.

(7) "Health care" means preventive, diagnostic, and rehabilitative services provided by licensed health care professionals and/or facilities; such care to include providing prescription drugs where indicated.

(8) "Holding facility" means a facility operated by a governing unit primarily designed, staffed, and used for the temporary housing of adult persons charged with a criminal offense prior to trial or sentencing and for the temporary housing of such persons during or after trial and/or sentencing, but in no instance shall the housing exceed thirty days.

(9) "Jail" means any holding, detention, special detention, or correctional facility as defined in this section.

(10) "Labor" means the period of time before a birth during which contractions are of sufficient frequency, intensity, and duration to bring about effacement and progressive dilation of the cervix.

(11) "Major urban" means a county or combination of counties which has a city having a population greater than twenty-six thousand based on the 1978 projections of the office of financial management.

~~((44))~~ (12) "Medication" means a drug, legend drug, or controlled substance requiring a prescription or an over-the-counter or nonprescription drug.

~~((42))~~ (13) "Medication assistance" means assistance rendered by nonpractitioner jail personnel to an inmate residing in a jail to facilitate the individual's self-administration of a legend drug or controlled substance or nonprescription medication. "Medication assistance" includes reminding or coaching the individual, handing the medication container to the individual, opening the individual's medication container, using an enabler, or placing the medication in the individual's hand.

~~((43))~~ (14) "Medium urban" means a county or combination of counties which has a city having a population equal to or greater than ten thousand but less than twenty-six thousand based on the 1978 projections of the office of financial management.

~~((44))~~ (15) "Nonpractitioner jail personnel" means appropriately trained staff who are authorized to manage, deliver, or administer prescription and nonprescription medication under RCW 70.48.490.

~~((45))~~ (16) "Office" means the office of financial management.

~~((46))~~ (17) "Physical restraint" means the use of any bodily force or physical intervention to control an offender or limit an offender's freedom of movement in a way that does not involve a

mechanical restraint. "Physical restraint" does not include momentary periods of minimal physical restriction by direct person-to-person contact, without the aid of mechanical restraint, accomplished with limited force and designed to:

(a) Prevent an offender from completing an act that would result in potential bodily harm to self or others or damage to property;

(b) Remove a disruptive offender who is unwilling to leave an area voluntarily; or

(c) Guide an offender from one location to another.

(18) "Postpartum recovery" means (a) the entire period a woman or youth is in the hospital, birthing center, or clinic after giving birth and (b) an additional time period, if any, a treating physician determines is necessary for healing after the woman or youth leaves the hospital, birthing center, or clinic.

(19) "Practitioner" has the same meaning as provided in RCW 69.41.010.

~~((47))~~ (20) "Restraints" means anything used to control the movement of a person's body or limbs and includes:

(a) Physical restraint; or

(b) Mechanical restraint including, but not limited to, metal handcuffs, plastic ties, ankle restraints, leather cuffs, other hospital-type restraints, tasers, or batons.

(21) "Rural" means a county or combination of counties which has a city having a population less than ten thousand based on the 1978 projections of the office of financial management.

~~((48))~~ (22) "Special detention facility" means a minimum security facility operated by a governing unit primarily designed, staffed, and used for the housing of special populations of sentenced persons who do not require the level of security normally provided in detention and correctional facilities including, but not necessarily limited to, persons convicted of offenses under RCW 46.61.502 or 46.61.504.

(23) "Transportation" means the conveying, by any means, of an incarcerated pregnant woman or youth from the correctional facility to another location from the moment she leaves the correctional facility to the time of arrival at the other location, and includes the escorting of the pregnant incarcerated woman or youth from the correctional facility to the transport vehicle and from the vehicle to the other location.

NEW SECTION. Sec. 7. A new section is added to chapter 70.48 RCW to read as follows:

(1)(a) Except in extraordinary circumstances, no restraints of any kind may be used on any pregnant woman or youth incarcerated in a correctional facility or any facility covered by this chapter during transportation to and from visits to medical providers and court proceedings during the third trimester of her pregnancy, or during postpartum recovery.

(b) While the pregnant woman or youth is in labor or in childbirth, no restraints of any kind may be used unless specifically requested by medical personnel.

(2) Extraordinary circumstances exist:

(a) Where a corrections officer makes an individualized determination, based upon custody level or past behavior of the pregnant woman or youth, that restraints will be necessary to prevent escape or injury to herself, medical or correctional personnel, or others. Under these circumstances, prior authorization must be obtained from medical personnel before the use of restraints is permitted. The authorization must identify the type of restraints that are appropriate to address the risk of escape or injury;

(b) Where a corrections officer determines, based upon the current behavior of the pregnant woman or youth, restraints are

necessary to prevent escape or injury to herself, medical or correctional personnel, or others.

(3) If the doctor, nurse, or other health professional treating the pregnant woman or youth requests that restraints not be used, the corrections officer accompanying the pregnant woman or youth shall immediately remove all restraints.

(4) Anytime restraints are used on a pregnant woman or youth the restraints must be the least restrictive available and the most reasonable under the circumstances, but in no case shall leg irons or waist chains be used on any pregnant woman or youth.

(5) No correctional personnel shall be present during the pregnant woman's or youth's labor or childbirth while she is being attended to by medical personnel, unless specifically requested by medical personnel. If the employee's presence is requested by medical personnel, the employee should be female if practicable.

**NEW SECTION. Sec. 8.** A new section is added to chapter 70.48 RCW to read as follows:

(1) The jail administrator or his or her designee or chief law enforcement executive or his or her designee shall provide notice of the requirements of this act to the appropriate staff at correctional or detention facilities. Appropriate staff shall include all medical staff and staff who are involved in the transport of women and youth who are or may become pregnant, as well as such other staff as the sheriff or police chief deems appropriate.

(2) The jail administrator or his or her designee or chief law enforcement executive or his or her designee shall cause the requirements of this act to be provided to all women or youth who are or may become pregnant, at the time the county or city assumes custody of the person in a correctional or detention facility. The jail administrator or his or her designee or chief law enforcement executive or his or her designee shall cause a notice containing the requirements of this act to be posted in locations in which medical care is provided within the facilities.

**Sec. 9.** RCW 13.40.020 and 2009 c 454 s 2 are each amended to read as follows:

For the purposes of this chapter:

(1) "Community-based rehabilitation" means one or more of the following: Employment; attendance of information classes; literacy classes; counseling, outpatient substance abuse treatment programs, outpatient mental health programs, anger management classes, education or outpatient treatment programs to prevent animal cruelty, or other services; or attendance at school or other educational programs appropriate for the juvenile as determined by the school district. Placement in community-based rehabilitation programs is subject to available funds;

(2) "Community-based sanctions" may include one or more of the following:

(a) A fine, not to exceed five hundred dollars;

(b) Community restitution not to exceed one hundred fifty hours of community restitution;

(3) "Community restitution" means compulsory service, without compensation, performed for the benefit of the community by the offender as punishment for committing an offense. Community restitution may be performed through public or private organizations or through work crews;

(4) "Community supervision" means an order of disposition by the court of an adjudicated youth not committed to the department or an order granting a deferred disposition. A community supervision order for a single offense may be for a period of up to two years for a sex offense as defined by RCW 9.94A.030 and up to one year for other offenses. As a mandatory condition of any term of community supervision, the court shall order the juvenile to refrain from committing new offenses. As a mandatory condition of community supervision, the court shall order the juvenile to comply with the mandatory school attendance provisions of chapter 28A.225 RCW and to inform the school of

the existence of this requirement. Community supervision is an individualized program comprised of one or more of the following:

(a) Community-based sanctions;

(b) Community-based rehabilitation;

(c) Monitoring and reporting requirements;

(d) Posting of a probation bond;

(5) "Confinement" means physical custody by the department of social and health services in a facility operated by or pursuant to a contract with the state, or physical custody in a detention facility operated by or pursuant to a contract with any county. The county may operate or contract with vendors to operate county detention facilities. The department may operate or contract to operate detention facilities for juveniles committed to the department. Pretrial confinement or confinement of less than thirty-one days imposed as part of a disposition or modification order may be served consecutively or intermittently, in the discretion of the court;

(6) "Court," when used without further qualification, means the juvenile court judge(s) or commissioner(s);

(7) "Criminal history" includes all criminal complaints against the respondent for which, prior to the commission of a current offense:

(a) The allegations were found correct by a court. If a respondent is convicted of two or more charges arising out of the same course of conduct, only the highest charge from among these shall count as an offense for the purposes of this chapter; or

(b) The criminal complaint was diverted by a prosecutor pursuant to the provisions of this chapter on agreement of the respondent and after an advisement to the respondent that the criminal complaint would be considered as part of the respondent's criminal history. A successfully completed deferred adjudication that was entered before July 1, 1998, or a deferred disposition shall not be considered part of the respondent's criminal history;

(8) "Department" means the department of social and health services;

(9) "Detention facility" means a county facility, paid for by the county, for the physical confinement of a juvenile alleged to have committed an offense or an adjudicated offender subject to a disposition or modification order. "Detention facility" includes county group homes, inpatient substance abuse programs, juvenile basic training camps, and electronic monitoring;

(10) "Diversion unit" means any probation counselor who enters into a diversion agreement with an alleged youthful offender, or any other person, community accountability board, youth court under the supervision of the juvenile court, or other entity except a law enforcement official or entity, with whom the juvenile court administrator has contracted to arrange and supervise such agreements pursuant to RCW 13.40.080, or any person, community accountability board, or other entity specially funded by the legislature to arrange and supervise diversion agreements in accordance with the requirements of this chapter. For purposes of this subsection, "community accountability board" means a board comprised of members of the local community in which the juvenile offender resides. The superior court shall appoint the members. The boards shall consist of at least three and not more than seven members. If possible, the board should include a variety of representatives from the community, such as a law enforcement officer, teacher or school administrator, high school student, parent, and business owner, and should represent the cultural diversity of the local community;

(11) "Foster care" means temporary physical care in a foster family home or group care facility as defined in RCW 74.15.020 and licensed by the department, or other legally authorized care;

(12) "Institution" means a juvenile facility established pursuant to chapters 72.05 and 72.16 through 72.20 RCW;

(13) "Intensive supervision program" means a parole program that requires intensive supervision and monitoring, offers an array of individualized treatment and transitional services, and emphasizes community involvement and support in order to reduce the likelihood a juvenile offender will commit further offenses;

(14) "Juvenile," "youth," and "child" mean any individual who is under the chronological age of eighteen years and who has not been previously transferred to adult court pursuant to RCW 13.40.110, unless the individual was convicted of a lesser charge or acquitted of the charge for which he or she was previously transferred pursuant to RCW 13.40.110 or who is not otherwise under adult court jurisdiction;

(15) "Juvenile offender" means any juvenile who has been found by the juvenile court to have committed an offense, including a person eighteen years of age or older over whom jurisdiction has been extended under RCW 13.40.300;

(16) "Labor" means the period of time before a birth during which contractions are of sufficient frequency, intensity, and duration to bring about effacement and progressive dilation of the cervix;

(17) "Local sanctions" means one or more of the following: (a) 0- 30 days of confinement; (b) 0-12 months of community supervision; (c) 0-150 hours of community restitution; or (d) \$0-\$500 fine;

(18) "Manifest injustice" means a disposition that would either impose an excessive penalty on the juvenile or would impose a serious, and clear danger to society in light of the purposes of this chapter;

(19) "Monitoring and reporting requirements" means one or more of the following: Curfews; requirements to remain at home, school, work, or court-ordered treatment programs during specified hours; restrictions on leaving or entering specified geographical areas; requirements to report to the probation officer as directed and to remain under the probation officer's supervision; and other conditions or limitations as the court may require which may not include confinement;

(20) "Offense" means an act designated a violation or a crime if committed by an adult under the law of this state, under any ordinance of any city or county of this state, under any federal law, or under the law of another state if the act occurred in that state;

(21) "Physical restraint" means the use of any bodily force or physical intervention to control an offender or limit an offender's freedom of movement in a way that does not involve a mechanical restraint. "Physical restraint" does not include momentary periods of minimal physical restriction by direct person-to-person contact, without the aid of mechanical restraint, accomplished with limited force and designed to:

(a) Prevent an offender from completing an act that would result in potential bodily harm to self or others or damage to property;

(b) Remove a disruptive offender who is unwilling to leave an area voluntarily; or

(c) Guide an offender from one location to another.

(22) "Postpartum recovery" means (a) the entire period a woman or youth is in the hospital, birthing center, or clinic after giving birth and (b) an additional time period, if any, a treating physician determines is necessary for healing after the woman or youth leaves the hospital, birthing center, or clinic;

(23) "Probation bond" means a bond, posted with sufficient security by a surety justified and approved by the court, to secure the offender's appearance at required court proceedings and compliance with court-ordered community supervision or conditions of release ordered pursuant to RCW 13.40.040 or

13.40.050. It also means a deposit of cash or posting of other collateral in lieu of a bond if approved by the court;

(24) "Respondent" means a juvenile who is alleged or proven to have committed an offense;

(25) "Restitution" means financial reimbursement by the offender to the victim, and shall be limited to easily ascertainable damages for injury to or loss of property, actual expenses incurred for medical treatment for physical injury to persons, lost wages resulting from physical injury, and costs of the victim's counseling reasonably related to the offense. Restitution shall not include reimbursement for damages for mental anguish, pain and suffering, or other intangible losses. Nothing in this chapter shall limit or replace civil remedies or defenses available to the victim or offender;

(26) "Restraints" means anything used to control the movement of a person's body or limbs and includes:

(a) Physical restraint; or

(b) Mechanical restraint including, but not limited to, metal handcuffs, plastic ties, ankle restraints, leather cuffs, other hospital-type restraints, tasers, or batons;

(27) "Secretary" means the secretary of the department of social and health services. "Assistant secretary" means the assistant secretary for juvenile rehabilitation for the department;

(28) "Services" means services which provide alternatives to incarceration for those juveniles who have pleaded or been adjudicated guilty of an offense or have signed a diversion agreement pursuant to this chapter;

(29) "Sex offense" means an offense defined as a sex offense in RCW 9.94A.030;

(30) "Sexual motivation" means that one of the purposes for which the respondent committed the offense was for the purpose of his or her sexual gratification;

(31) "Surety" means an entity licensed under state insurance laws or by the state department of licensing, to write corporate, property, or probation bonds within the state, and justified and approved by the superior court of the county having jurisdiction of the case;

(32) "Transportation" means the conveying, by any means, of an incarcerated pregnant woman or youth from the correctional facility to another location from the moment she leaves the correctional facility to the time of arrival at the other location, and includes the escorting of the pregnant incarcerated woman or youth from the correctional facility to the transport vehicle and from the vehicle to the other location.

(33) "Violation" means an act or omission, which if committed by an adult, must be proven beyond a reasonable doubt, and is punishable by sanctions which do not include incarceration;

(34) "Violent offense" means a violent offense as defined in RCW 9.94A.030;

(35) "Youth court" means a diversion unit under the supervision of the juvenile court.

**NEW SECTION. Sec. 10.** A new section is added to chapter 13.40 RCW to read as follows:

(1)(a) Except in extraordinary circumstances, no restraints of any kind may be used on any pregnant youth incarcerated in an institution or detention facility during transportation to and from visits to medical providers and court proceedings during the third trimester of her pregnancy, or during postpartum recovery.

(b) While the pregnant youth is in labor or in childbirth, no restraints of any kind may be used unless specifically requested by medical personnel.

(2) Extraordinary circumstances exist:

(a) Where a corrections officer makes an individualized determination, based upon custody level or past behavior of the

pregnant youth, that restraints will be necessary to prevent escape or injury to herself, medical or correctional personnel, or others. Under these circumstances, prior authorization must be obtained from medical personnel before the use of restraints is permitted. The authorization must identify the type of restraints that are appropriate to address the risk of escape or injury;

(b) Where a corrections officer determines, based upon the current behavior of the youth, restraints are necessary to prevent escape or injury to herself, medical or correctional personnel, or others.

(3) If the doctor, nurse, or other health professional treating the pregnant youth requests that restraints not be used, the corrections officer accompanying the pregnant youth shall immediately remove all restraints.

(4) Anytime restraints are used on a youth the restraints must be the least restrictive available and the most reasonable under the circumstances, but in no case shall leg irons or waist chains be used on any pregnant youth.

(5) No correctional personnel shall be present during the pregnant youth's labor or childbirth while she is being attended to by medical personnel, unless specifically requested by medical personnel. If the employee's presence is requested by medical personnel, the employee should be female if practicable.

**NEW SECTION. Sec. 11.** A new section is added to chapter 13.40 RCW to read as follows:

(1) The secretary shall:

(a) Provide an informational packet about the requirements of this act to all medical staff and nonmedical staff who are involved in the transportation of youth who are pregnant, as well as other staff as appropriate. The informational packet provided to staff under this section shall be developed as provided in section 10 of this act; and

(b) Cause the requirements of this act to be provided to all youth who are or may become pregnant at the time the department assumes custody of the person in the institution. In addition, the secretary shall cause a notice containing the requirements of this act to be posted in locations in which medical care is provided within the institutions.

(2) The legislative authority shall:

(a) Provide notice of the requirements of this act to the appropriate staff at detention facilities. Appropriate staff shall include all medical staff and staff who are involved in the transport of youth who are or may become pregnant, as well as such other staff as appropriate; and

(b) Cause the requirements of this act to be provided to all youth who are or may become pregnant, at the time the detention facility assumes custody of the person. In addition, the legislative authority shall cause a notice containing the requirements of this act to be posted in locations in which medical care is provided within the facilities.

**NEW SECTION. Sec. 12.** A new section is added to chapter 70.48 RCW to read as follows:

The Washington association of sheriffs and police chiefs, the department of corrections, the department of social and health services, the juvenile rehabilitation administration, and the criminal justice training commission shall jointly develop an informational packet on the requirements of this act. The packet shall be ready for distribution no later than September 1, 2010."

Correct the title.

Representatives Darneille and Dammeier spoke in favor of the adoption of the amendment.

Amendment (1141) 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 Darneille and Dammeier spoke in favor of the passage of the bill.

The Speaker (Representative Moeller Presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2747.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2747, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst and Pedersen.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2747, having received the necessary constitutional majority, was declared passed.

### RECONSIDERATION

There being no objection, the house immediately reconsidered the vote by which HOUSE JOINT MEMORIAL NO. 4024 passed the House.

The Speaker (Representative Moeller Presiding) stated the question before the House to be the final passage of House Joint Memorial No. 4024, on reconsideration.

The Clerk called the roll on the final passage of House Joint Memorial No. 4024, and the joint memorial passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Hurst and Pedersen.

HOUSE JOINT MEMORIAL NO. 4024 on reconsideration, having received the necessary constitutional majority, was declared passed.

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

There being no objection, the Committee on Rules was relieved of the following bills under a leadership pull and the bills were placed on the second reading calendar:

HOUSE BILL NO. 1436  
 HOUSE BILL NO. 1775  
 HOUSE BILL NO. 2488  
 HOUSE BILL NO. 2591  
 HOUSE BILL NO. 2697  
 HOUSE BILL NO. 2914  
 HOUSE BILL NO. 2935  
 HOUSE BILL NO. 2954  
 HOUSE BILL NO. 2969  
 ENGROSSED HOUSE BILL NO. 3023  
 HOUSE BILL NO. 3156  
 HOUSE BILL NO. 3175

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

## SECOND READING

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

### **HOUSE BILL NO. 2538, by Representatives Upthegrove, Taylor, Eddy, Pedersen, Clibborn, Chase and Springer**

#### **Regarding high-density urban development.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2538 was substituted for House Bill No. 2538 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2538 was read the second time.

Representative Taylor moved the adoption of amendment (1038).

On page 2, line 15, after "(2)" insert "Cities located on the east side of the Cascade mountains and located in a county with a population of two hundred thirty thousand or less, in accordance with their existing comprehensive planning and development regulation authority under chapter 36.70A RCW, and in accordance with this section, may adopt optional elements of their comprehensive plans and optional development regulations that apply within the mixed-use or urban centers. The optional elements of their comprehensive plans and optional development regulations must enhance pedestrian, bicycle, transit, or other nonvehicular transportation methods.

(3)"

Re-number the remaining subsections consecutively and correct any internal references accordingly.

On page 3, line 28, after "(1)" insert "or (2)"

Representatives Taylor and Upthegrove spoke in favor of the adoption of the amendment.

Amendment (1038) was adopted.

With the consent of the House, amendment (1092) was withdrawn.

Representative Orcutt moved the adoption of amendment (1064).

On page 2, line 25, after "(3)" insert "(a)"

On page 2, at the beginning of line 32, strike "(a)" and insert "(b)"

On page 3, beginning on line 15, strike all of subsection (b) Correct any internal references accordingly.

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

Representative Upthegrove spoke against the adoption of the amendment.

Amendment (1064) was not adopted.

Representative Santos moved the adoption of amendment (1162).

On page 2, line 25, after "(3)" insert "(a)"

On page 2, at the beginning of line 32, strike "(a)" and insert "(b)"

On page 3, line 2, after "subarea." insert the following:

"(c) In cities with over five hundred thousand residents, notice of scoping for such a nonproject environmental impact statement and notice of the community meeting required by this section must be mailed to all small businesses as defined in RCW 19.85.020 of record within the subarea to be studied, to all small businesses as defined in RCW 19.85.020 within one hundred fifty feet of the boundaries of such a subarea, and to community preservation and development authorities established under chapter 43.167 RCW. The process for community involvement must have the goal of fair treatment and meaningful involvement of all people with respect to the development and implementation of the subarea planning process.

(d)"

On page 3, line 10, after "opportunity." insert the following:

"(e)"

On page 3, at the beginning of line 15, strike "(b)" and insert "(f) In cities with over five hundred thousand residents, prior to the community meeting being held, a city shall analyze whether the proposed subarea plan will result in the displacement or fragmentation of businesses, existing residents, including people living with poverty, families with children, and intergenerational households, or cultural groups within the proposed subarea plan. The analysis shall inform and be included in the nonproject environmental impact statement in subsection (a) of this section. The city shall also discuss the results of the analysis at the community meeting.

(g)"

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

Amendment (1162) 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 Upthegrove, Short and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Morris Presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2538.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2538, and the bill passed the House by the following vote: Yeas, 90; Nays, 5; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roberts, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Anderson, Angel, Kristiansen, Roach and Rodne.

Excused: Representatives Carlyle, Hurst and Pedersen.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2538, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2688, by Representatives Hunter, Condotta, Chandler, Green, Moeller, Williams, Carlyle, Springer and Conway**

**Creating a beer and wine tasting endorsement to the grocery store liquor license.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2688 was substituted for House Bill No. 2688 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2688 was read the second time.

With the consent of the House, amendments (1086), (1101) and (1054) were withdrawn.

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 Condotta spoke in favor of the 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. 2688.

#### MOTION

On motion of Representative Santos, Representative Flannigan was excused.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2688, and the bill passed the House by the following vote: Yeas, 72; Nays, 22; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Green, Haigh, Haler, Herrera, Hinkle, Hope, Hunter, Jacks, Johnson, Kelley, Kenney, Kessler, Kirby, Kretz, Lias, Linville, Maxwell, McCoy, Moeller, Morris, Nealey, Nelson, O'Brien, Parker, Pettigrew, Probst, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Crouse, Dammeier, Darneille, Goodman, Hasegawa, Hudgins, Hunt, Kagi, Klippert, Kristiansen, McCune, Miloscia, Morrell, Orcutt, Ormsby, Orwall, Pearson, Priest, Quall, Roach, Roberts and Van De Wege.

Excused: Representatives Carlyle, Flannigan, Hurst and Pedersen.

SUBSTITUTE HOUSE BILL NO. 2688, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 3030, by Representatives Fagan and Hinkle**

**Regarding the administration of irrigation districts.**

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 Fagan, Armstrong and Simpson spoke in favor of 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. 3030.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 3030, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell,

Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Flannigan, Hurst and Pedersen.

HOUSE BILL NO. 3030, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1591, by Representatives Upthegrove, Clibborn, Simpson and Liias**

**Concerning the use of certain transportation benefit district funds.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1591 was substituted for House Bill No. 1591 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1591 was read the second time.

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

Representative Upthegrove spoke in favor of passage of the bill.

Representative Roach spoke against passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1591.

#### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1591, and the bill passed the House by the following vote: Yeas, 56; Nays, 38; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Blake, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Goodman, Green, Haigh, Hudgins, Hunt, Hunter, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pettigrew, Probst, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Campbell, Chandler, Condotta, Crouse, Dammeier, DeBolt, Ericksen, Fagan, Haler, Hasegawa, Herrera, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Parker, Pearson, Priest, Roach, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh and Warnick.

Excused: Representatives Carlyle, Flannigan, Hurst and Pedersen.

SECOND SUBSTITUTE HOUSE BILL NO. 1591, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote NAY on Second Substitute House Bill No. 1591.

John Driscoll, 6th District

#### STATEMENT FOR THE JOURNAL

I intended to vote NAY on Second Substitute House Bill No. 1591.

Troy X. Kelley, 28th District

#### STATEMENT FOR THE JOURNAL

I intended to vote NAY on Second Substitute House Bill No. 1591.

Tim Probst, 17th District

**HOUSE BILL NO. 2397, by Representatives Moeller, Kretz, Dickerson, Schmick, Blake, Kristiansen, Driscoll, Armstrong, Liias, Dunshee, Hudgins, Eddy, Morris, Chase, Simpson, Kenney, Warnick, Ormsby and Hope**

**Imposing a distance requirement for gathering signatures on an initiative measure or referendum. Revised for 1st Substitute: Addressing the distance requirements for gathering signatures for an initiative or referendum at stand alone stores and retail stores that are located in commercial retail complexes.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2397 was substituted for House Bill No. 2397 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2397 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 and Armstrong spoke in favor of the 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. 2397.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2397, and the bill passed the House by the following vote: Yeas, 82; Nays, 12; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Chandler, Chase, Clibborn, Cody, Conway, Crouse, Dammeier, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Goodman, Green, Haigh, Haler, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Linville, Maxwell, McCoy, Moeller, Morrell, Morris,

Nealey, Nelson, O'Brien, Ormsby, Orwall, Parker, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Campbell, Condotta, DeBolt, Herrera, Johnson, Lias, McCune, Miloscia, Orcutt, Pearson, Ross and Simpson.

Excused: Representatives Carlyle, Flannigan, Hurst and Pedersen.

SUBSTITUTE HOUSE BILL NO. 2397, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2444, by Representatives Williams, Campbell, Lias, Chase, Sells, Rolfes, Nelson, Simpson, Goodman, Ormsby, Miloscia, Kagi, Roberts, White, Conway, Kenney, Hasegawa and Haigh**

**Providing leave from employment for participating in a child's educational activities.**

The bill was read the second time.

Representative Condotta moved the adoption of amendment (1105).

On page 2, beginning on line 3, strike all of subsection (1) and insert the following:

"(1) An employer may grant an employee a total of eight hours of unpaid leave during any twelve-month period to attend or otherwise participate in a child's educational activities."

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

Representative Williams spoke against the adoption of the amendment.

Amendment (1105) was not adopted.

Representative Williams moved the adoption of amendment (1143).

On page 2, line 13, after "leave;" strike "and"

On page 2, line 17, after "leave" insert the following:

"; and

(d) An employee is limited to a total of four hours of unpaid leave during any twelve-month period for the purpose specified in subsection (1) of this section, regardless of whether the employee has one or more children"

Representative Williams and Condotta spoke in favor of the adoption of the amendment.

Amendment (1143) 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.

Representative Williams spoke in favor of passage of the bill.

Representative Priest spoke against passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2444.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2444, and the bill passed the House by the following vote: Yeas, 54; Nays, 40; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morris, Nelson, O'Brien, Ormsby, Orwall, Pettigrew, Probst, Quall, Roberts, Rolfes, Santos, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Chandler, Condotta, Crouse, Dammeier, DeBolt, Erickson, Fagan, Finn, Haler, Herrera, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Morrell, Nealey, Orcutt, Parker, Pearson, Priest, Roach, Rodne, Ross, Schmick, Seaquist, Shea, Short, Smith, Taylor, Wallace, Walsh and Warnick.

Excused: Representatives Carlyle, Flannigan, Hurst and Pedersen.

ENGROSSED HOUSE BILL NO. 2444, having received the necessary constitutional majority, was declared passed.

### STATEMENT FOR THE JOURNAL

I intended to vote Nay on Engrossed House Bill No. 2444.

Troy X. Kelley, 28th District

### SECOND READING

**HOUSE BILL NO. 2504, by Representatives Eddy, Morris, Van De Wege, McCoy, Haler, Chase, Armstrong, Schmick, Walsh, Hunt, Kessler, Ormsby and Short**

**Concerning minimum renewable fuel content requirements.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2504 was substituted for House Bill No. 2504 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2504 was read the second time.

Representative Armstrong moved the adoption of amendment (1125).

On page 1, at the beginning of line 8, insert the following:

"**NEW SECTION. Sec. 1.** The legislature finds that in 2006, the state of Washington made a commitment to establish a market for alternative fuels. As part of that commitment, state agencies were required to use an increasing percentage of biodiesel to operate their state fleets. The legislature further finds that as a result of the commitments that were made in 2006, significant

public and private investments have been made to develop in-state feedstock and oilseed crushing capacity. In order to ensure that these investments prove to be successful, it is the intent of the legislature that state agencies make every effort to purchase biodiesel that is derived from locally grown, in-state feedstocks."

Renumber the remaining sections consecutively and correct internal references accordingly. Correct the title.

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

Amendment (1125) was adopted.

Representative Armstrong moved the adoption of amendment (1079).

On page 4, beginning on line 7, after "19.112.110" strike all material through "43.19.642" and insert "~~((or 19.112.120, or 43.19.642))~~"

Beginning on page 4, line 32, strike all of section 7 and insert the following:

"**Sec. 7.** RCW 43.19.642 and 2009 c 470 s 716 are each amended to read as follows:

~~((1) Effective June 1, 2006, for agencies complying with the ultra low sulfur diesel mandate of the United States environmental protection agency for on highway diesel fuel, agencies shall use biodiesel as an additive to ultra low sulfur diesel for lubricity, provided that the use of a lubricity additive is warranted and that the use of biodiesel is comparable in performance and cost with other available lubricity additives. The amount of biodiesel added to the ultra low sulfur diesel fuel shall be not less than two percent.~~

~~(2) Effective June 1, 2009, state agencies are required to use a minimum of twenty percent biodiesel as compared to total volume of all diesel purchases made by the agencies for the operation of the agencies' diesel powered vessels, vehicles, and construction equipment.~~

~~(3)) All state agencies using biodiesel fuel shall, beginning on July 1, 2006, file biannual reports with the department of general administration documenting the use of the fuel and a description of how any problems encountered were resolved.~~

~~((4) For the 2009 2011 fiscal biennium, the Washington state ferries is required to use a minimum of five percent biodiesel as compared to total volume of all diesel purchases made by the Washington state ferries for the operation of the Washington state ferries diesel powered vessels so long as the per gallon price of diesel containing a five percent biodiesel blend level does not exceed the per gallon price of diesel by more than five percent. If the per gallon price of diesel containing a five percent biodiesel blend level exceeds the per gallon price of diesel by more than five percent, the requirements of this section do not apply to vessel fuel purchases by the Washington state ferries.~~

~~(5) By December 1, 2009, the department of general administration shall:~~

~~(a) Report to the legislature on the average true price differential for biodiesel by blend and location; and~~

~~(b) Examine alternative fuel procurement methods that work to address potential market barriers for in-state biodiesel producers and report these findings to the legislature.)~~

On page 9, after line 6, insert the following:

"**Sec. 9.** RCW 43.19.646 and 2006 c 338 s 12 are each amended to read as follows:

(1) The department of general administration must assist state agencies seeking to meet the biodiesel fuel requirements in RCW ~~((43.19.642))~~ 19.112.110 by coordinating the purchase and delivery of biodiesel if requested by any state agency. The

department may use long-term contracts of up to ten years, when purchasing from in-state suppliers who use predominantly in-state feedstock, to secure a sufficient and stable supply of biodiesel for use by state agencies.

(2) The department shall compile and analyze the reports submitted under RCW 43.19.642~~((44))~~ and report in an electronic format its findings and recommendations to the governor and committees of the legislature with responsibility for energy issues, within sixty days from the end of each reporting period. The governor shall consider these reports in determining whether to temporarily suspend minimum renewable fuel content requirements as authorized under RCW 19.112.160."

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

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

Amendment (1079) was adopted.

Representative Armstrong moved the adoption of amendment (1126).

On page 9, at the beginning of line 7, insert the following:  
"**NEW SECTION. Sec. 9.** The director shall report to the governor and the legislature by December 1, 2011, regarding the impacts of this act on fuel suppliers, distributors, and retailers in the state, including any problems that may have arisen regarding biodiesel fuel quality or availability."

Renumber the remaining section consecutively and correct any internal references accordingly. Correct the title.

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

Amendment (1126) was adopted.

Representative Ericksen moved the adoption of amendment (1148).

On page 9, after line 24, insert the following:

"**NEW SECTION. Sec. 10.** Sections 1 through 9 of this act take effect on the date that the director of the department of general administration certifies that state agencies have met the twenty percent biodiesel requirement under RCW 43.19.642."

Correct the title.

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

Representatives Kessler and Eddy spoke against the adoption of the amendment.

Amendment (1148) was not 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 Eddy and Armstrong spoke in favor of the passage of the bill.

Representative Roach spoke against the 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. 2504.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2504, and the bill passed the House by the following vote: Yeas, 62; Nays, 32; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Armstrong, Blake, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Fagan, Goodman, Green, Haigh, Haler, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Jacks, Kagi, Kenney, Kessler, Kirby, Kretz, Liias, Linville, Maxwell, McCoy, Morrell, Morris, Nealey, Nelson, O'Brien, Ormsby, Orwall, Pettigrew, Priest, Quall, Roberts, Rolfes, Santos, Schmick, Seaquist, Sells, Short, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Bailey, Campbell, Chandler, Condotta, Crouse, Dammeier, DeBolt, Ericksen, Finn, Herrera, Hope, Johnson, Kelley, Klippert, Kristiansen, McCune, Miloscia, Moeller, Orcutt, Parker, Pearson, Probst, Roach, Rodne, Ross, Shea, Smith, Taylor and Wallace.

Excused: Representatives Carlyle, Flannigan, Hurst and Pedersen.

SUBSTITUTE HOUSE BILL NO. 2504, having received the necessary constitutional majority, was declared passed.

### **HOUSE BILL NO. 2658, by Representatives Kenney, Maxwell, McCoy and Morrell**

#### **Refocusing the department of commerce, including transferring programs.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2658 was substituted for House Bill No. 2658 and the substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2658 was read the second time.

Representative Darneille moved the adoption of amendment (1149).

On page 4, line 19, after "grants;" strike "and"

On page 4, line 20, after "parents" insert "; and (xviii) the Washington new americans program"

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

Representative Smith spoke against the adoption of the amendment.

Amendment (1149) was adopted.

Representative McCoy moved the adoption of amendment (1140).

On page 24, beginning on line 29, strike all of section 405

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

Correct the title.

Representatives McCoy and Smith spoke in favor of the adoption of the amendment.

Amendment (1140) 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 Kenney and McCoy spoke in favor of the passage of the bill.

Representatives Smith and Short spoke against the passage of the bill.

The Speaker (Representative Morris Presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2658.

### ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2658, and the bill passed the House by the following vote: Yeas, 56; Nays, 38; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Blake, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pettigrew, Probst, Quall, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Campbell, Chandler, Condotta, Crouse, Dammeier, DeBolt, Ericksen, Fagan, Haler, Herrera, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Parker, Pearson, Priest, Roach, Roberts, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh and Warnick.

Excused: Representatives Carlyle, Flannigan, Hurst and Pedersen.

SECOND SUBSTITUTE HOUSE BILL NO. 2658, having received the necessary constitutional majority, was declared passed.

### **HOUSE BILL NO. 3141, by Representatives Kagi, Pettigrew, Seaquist, Kenney and Ormsby**

#### **Redesigning the delivery of temporary assistance to needy families. Revised for 2nd Substitute: Regarding delivery of temporary assistance to needy families.**

The bill was read the second time.

With the consent of the House, amendments (1122) and (1127) were withdrawn.

There being no objection, Second Substitute House Bill No. 3141 was substituted for House Bill No. 3141 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 3141 was read the second time.

Representative Kagi moved the adoption of amendment (1094).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 10. A new section is added to chapter 74.08A RCW to read as follows:

(1) The legislature finds that the goal of the Washington WorkFirst program is economic self-sufficiency for families through unsubsidized employment. The legislature also finds that matching available resources with families' needs and developing a comprehensive plan assists families in attaining lasting self-sufficiency through employment.

(2) The legislature also finds that the primary purposes of the temporary assistance for needy families program are: (a) To help job ready participants secure gainful employment; (b) to assist parents to prepare for and obtain sustainable employment that will lift the family out of poverty and lead to economic self-sufficiency; and (c) to provide basic income assistance and support to parents who are disabled or otherwise exempt from work activity requirements under federal law.

(3) The legislature further finds that parents who have adequate job skills and experiences should be referred to job search activities that will lead to employment.

(4) The legislature also finds that completion of appropriate educational and training programs is necessary for some families to achieve economic self-sufficiency through employment because research demonstrates that without adequate levels of education or training, job search activities alone have no measurable impact on a family's ability to become and remain economically self-sufficient.

(5) The legislature further finds that while many families have been successful in permanently leaving the program of temporary assistance for needy families, statistics indicate that families continue to return to the program in the absence of adequate education and training.

(6) In order to provide work opportunities for parents with significant barriers to employment, the legislature intends to build upon the successes of the community jobs program and to provide subsidized employment opportunities to parents who are unable to find employment after earnest efforts at job search or education and training activities.

(7) The legislature recognizes the vital importance of early childhood development and the significant developmental risks presented for children living in low-income households, particularly during critical developmental stages. Therefore, the legislature intends to reform components of Washington's subsidized childcare program by redesigning the eligibility determination process to promote: (a) Stability for children and (b) predictability for parents who are either working or preparing and searching for work and the childcare providers who are serving low-income families.

NEW SECTION. Sec. 11. A new section is added to chapter 43.215 RCW to read as follows:

(1) The department shall establish and implement policies in the working connections child care program to promote stability and quality of care for children from low-income households. Policies for the expenditure of funds constituting the working connections child care program must be consistent with the outcome measures defined in RCW 74.08A.410 and the standards established in this section intended to promote continuity of care for children.

(2) Beginning in fiscal year 2011, for families with children enrolled in an early childhood education and assistance program, a head start program, or an early head start program, authorizations for the working connections child care subsidy shall be effective for twelve months unless a change in circumstances necessitates reauthorization sooner than twelve months.

(3) The department, in consultation with the department of social and health services, shall report to the legislature by September 1, 2011, with:

(a) An analysis of the impact of the twelve-month authorization period on the stability of child care, program costs, and administrative savings; and

(b) Recommendations for expanding the application of the twelve-month authorization period to additional populations of children in care.

NEW SECTION. Sec. 12. A new section is added to chapter 74.08A RCW to read as follows:

The Washington WorkFirst subcabinet, in consultation with the governor, shall:

(1) Reevaluate the structure and policies of the WorkFirst program in the context of legislative intent expressed in section 1 of this act, and in consideration of the relevant research relating to family economic self-sufficiency and the completion of training and education programs shown to be correlated with increased earnings and career growth;

(2) Develop a proposal for redesigning the state's use of temporary assistance for needy families funds in a manner that makes optimum use of all funds available in the state to promote more families moving out of poverty to sustainable self-sufficiency; and

(3) Report the proposal to the appropriate committees of the legislature by December 1, 2010. The proposal must include the following elements:

(a) A process for conducting a reassessment for persons who have been unable to achieve sustainable self-sufficiency through employment after receiving WorkFirst assistance for fifty-four months. The reassessment must be designed to determine if referral to community jobs or other services, including education and training opportunities, is appropriate or necessary to assist the person in attaining self-sufficiency for the family;

(b) A plan for referring persons who have been unsuccessful in finding sustainable employment to the community jobs program or other wage-subsidized employment program established under RCW 74.08A.320. Referrals should complement other activities that might be identified in a reassessment under (a) of this subsection; and

(c) A schedule for the development and implementation of three pathways to family self-sufficiency that will guide case management and engage parents early in developing a comprehensive plan to achieve self-sufficiency while addressing families' current basic needs. The pathways must address appropriate referrals for:

(i) Persons who have: (A) Marketable job skills, adequate education, or experience and attachment to the job force, (B) transportation, (C) safe child care arrangements in place, and (D) no unaddressed barriers to employment;

(ii) Persons who have: (A) Few or no marketable job skills, (B) little experience or attachment to the job force, (C) no high school diploma or equivalent, or (D) a need to complete adult basic education or other activities to remove barriers to employment; and

(iii) Persons who are: (A) Incapacitated and unemployable, (B) caring for a child with a disability, or (C) the primary caregiver for a family member with a disability.

Sec. 13. RCW 74.08A.285 and 2003 c 383 s 3 are each amended to read as follows:

The WorkFirst program operated by the department to meet the federal work requirements specified in P.L. 104-193 shall contain a job search component. The component shall consist of instruction on how to secure a job and assisted job search activities to locate and retain employment. Nonexempt recipients of temporary assistance for needy families shall participate in an initial job search for no more than twelve consecutive weeks, when appropriate, given the recipient's marketable job skills, attachment to the labor force, and level of education or training. Each recipient shall receive a work skills assessment upon referral to the job search program. The work skills assessment shall include but not be limited to education, employment history, employment strengths, and job skills. The recipient's ability to obtain employment will be reviewed periodically thereafter and, if it is clear at any time that further participation in a job search will not be productive, the department shall assess the recipient pursuant to RCW 74.08A.260. The department shall refer recipients unable to find employment through the initial job search period to ((work)) activities that will develop their skills or knowledge to make them more employable, including additional job search and job readiness assistance.

Sec. 14. RCW 74.08A.320 and 1997 c 58 s 325 are each amended to read as follows:

The department shall establish a wage subsidy program to be known as the community jobs program for recipients of temporary assistance for needy families who have barriers to employment, lack experience and attachment to the job force, or have been unsuccessful in securing employment leading to family self-sufficiency. The department shall give preference in job placements to private sector employers that have agreed to participate in the wage subsidy program. The department shall identify characteristics of employers who can meet the employment goals stated in RCW 74.08A.410. The department shall use these characteristics in identifying which employers may participate in the program. The department shall adopt rules for the participation of recipients of temporary assistance for needy families in the wage subsidy program. Participants in the program established under this section may not be employed if: (1) The employer has terminated the employment of any current employee or otherwise caused an involuntary reduction of its workforce in order to fill the vacancy so created with the participant; or (2) the participant displaces or partially displaces current employees. Employers providing positions created under this section shall meet the requirements of chapter 49.46 RCW. This section shall not diminish or result in the infringement of obligations or rights under chapters 41.06, 41.56, and 49.36 RCW and the national labor relations act, 29 U.S.C. Ch. 7. The department shall establish such local and statewide advisory boards, including business and labor representatives, as it deems appropriate to assist in the implementation of the wage subsidy program. Once the recipient is hired, the wage subsidy shall be authorized for up to nine months.

NEW SECTION. Sec. 15. RCW 74.08A.200 (Intent--Washington WorkFirst) and 1997 c 58 s 301 are each repealed.

NEW SECTION. Sec. 16. It is the intent of the legislature that this act be implemented within the funding appropriated in the 2009-11 biennial budget. No additional appropriations will be provided for its implementation."

Correct the title.

Representative Hinkle moved the adoption of amendment (1134) to amendment (1094).

On page 1, beginning on line 5 of the striking amendment, after "that" strike all material through "implementation." on page 5, line 34 and insert "state implementation of the historic federal

personal responsibility and work opportunity act of 1996 through the Washington WorkFirst program created by Chapter 58, Laws of 1997 has achieved successes for participants in meeting the program goals of caseload reduction, reduced recidivism to public assistance, job retention, increased earnings, and placement into private sector, unsubsidized jobs.

(2) The legislature also finds that since the state enacted welfare reform, the number of families on welfare in Washington has dropped by more than fifty-one percent from its peak prior to reform. The legislature further finds that as of 2008, WorkFirst, compared to the program it replaced, had significantly increased the likelihood of employment by welfare clients; increased average earnings; reduced child poverty; and resulted in clients being much more likely to remain off welfare a year after exiting the program.

(3) After more than a decade of experience with WorkFirst, the legislature reaffirms its intent under RCW 74.08A.200 RCW that all applicants to the Washington WorkFirst program shall be focused on obtaining paid, unsubsidized employment, and that the focus of the Washington WorkFirst program shall be work for all recipients.

(4) The legislature recognizes the importance of appropriate educational and job training activities in achieving successful outcomes for many WorkFirst clients, and the continued need for unsubsidized child care to move the lowest income parents toward economic independence.

(5) The legislature finds that after more than ten years of declining or flat caseloads, even during the prior economic recession, the number of persons enrolled in WorkFirst has increased as economic conditions deteriorated during the last two years. The legislature finds there is a need to improve and accelerate efforts to meet the program goal of placing clients in unsubsidized employment, with necessary and appropriate educational and job training and support.

NEW SECTION. Sec. 2. A new section is added to chapter 74.08A RCW to read as follows:

(1) The Washington WorkFirst subcommittee, in consultation with the governor, shall evaluate the WorkFirst program to assess its performance in meeting the goals and performance measures established in chapter 74.08A RCW. In conducting its evaluation, the WorkFirst subcommittee shall review the recommendations of the WorkFirst reexamination work group prepared for the governor and the members of the WorkFirst subcommittee in October 2005; measure the implementation of those recommendations; and identify the effectiveness of those recommendations in meeting stated program goals and outcomes.

(2) The Washington WorkFirst subcommittee shall report to the appropriate committees of the legislature by December 1, 2010. The report shall include any recommendations, based on the evaluation of the program required under subsection (1) of this section, for program changes and the reallocation of resources, including any legislation that may be required for implementation."

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

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

Amendment (1134) to amendment (1094) was not adopted.

Representative Kagi moved the adoption of amendment (1161) to amendment (1094).

On page 3, line 19, after "self-sufficiency" strike "; and

(3)Report" and insert: ". The subcommittee must report"

On page 4, line 14, after "disability" insert "; and

(3)(a) Adopt the goal of increasing the percentage of households receiving temporary assistance to needy families that move into the middle-income bracket or higher, and delineate specific program strategies within the proposal required in subsection (2) of this section to reach that goal.

(b) The proposal developed under subsection (2) of this section shall also include an estimate by the office of financial management, in consultation with other state agencies, of the percentage of Washington residents with incomes in the middle-income bracket or higher, and the percentage of Work First clients who have historically moved into the middle-income bracket or higher. The office of financial management shall continue, by December 1 of every year thereafter, to estimate and report the percentage of Washington residents with incomes in the middle-income bracket or higher to the governor and the appropriate committees of the legislature.

(c) For purposes of this section, "middle-income bracket" means family incomes between two hundred and five hundred percent of the 2009 federal poverty level, as determined by the United States department of health and human services for a family of four, adjusted annually for inflation"

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

Amendment (1161) to amendment (1094) was adopted.

Representative Hinkle moved the adoption of amendment (1129) to amendment (1094).

On page 5, beginning on line 29, strike all of section 6

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

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

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

Amendment (1129) to amendment (1094) was not adopted.

Amendment (1094) was adopted as amended.

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.

Representative Kagi spoke in favor of the passage of the bill.

Representative Hinkle spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 3141.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 3141, and the bill passed the House by the following vote: Yeas, 51; Nays, 43; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Blake, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Ericks,

Finn, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Jacks, Kagi, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morris, Nelson, O'Brien, Ormsby, Orwall, Pettigrew, Quall, Roberts, Rolfes, Santos, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Campbell, Chandler, Condotta, Crouse, Dammeier, DeBolt, Driscoll, Ericksen, Fagan, Haler, Herrera, Hinkle, Hope, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, Morrell, Nealey, Orcutt, Parker, Pearson, Priest, Probst, Roach, Rodne, Ross, Schmick, Seaquist, Shea, Short, Smith, Taylor, Wallace, Walsh and Warnick.

Excused: Representatives Carlyle, Flannigan, Hurst and Pedersen.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 3141, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 1096, by Representatives Hasegawa, Green, Kenney, Chase, Hudgins and Moeller

#### Enhancing small business participation in state purchasing.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1096 was substituted for House Bill No. 1096 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1096 was read the second time.

Representative Orcutt moved the adoption of amendment (1142).

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 17.** The legislature finds that it is in the state's economic interest and serves a public purpose to promote and facilitate the fullest possible participation by Washington businesses of all sizes in the process by which goods and services are purchased by the state. The legislature further finds that large businesses have the resources to participate fully and effectively in the state's purchasing system, and because of many factors, including economies of scale, the purchasing system tends to create a preference in favor of large businesses and to disadvantage small businesses. The legislature intends, therefore, to assist, to the maximum extent possible, small businesses to participate in order to enhance and preserve competitive enterprise and to ensure that small businesses have a fair opportunity to be awarded contracts or subcontracts for goods and services purchased by the state.

**NEW SECTION. Sec. 18.** A new section is added to chapter 43.19 RCW to read as follows:

(1) To facilitate the participation of small business in the provision of goods and services purchased by purchasing agencies for the use only of the respective agency, including purchases under chapters 39.29 and 43.105 RCW, the purchasing agency must:

(a) Apply a preference in the award of contracts for goods and services as follows:

(i) A preference to small business bidders that is five percent of the lowest responsible bidder meeting specifications; and

(ii) A preference to in-state business bidders that are not small businesses but who provide for small business subcontractor participation in the contract that may be up to five percent of the lowest responsible bidder meeting specifications, determined according to rules adopted by the purchasing agency;

(b) Give assistance to small businesses by:

(i) Providing technical assistance that would be reasonably expected to mitigate barriers that result from experience requirements related to the contract;

(ii) Allowing for alternative methods for meeting any inventory level requirements related to the contract; and

(iii) Assisting small businesses with the qualification application required under RCW 43.19.1908.

(2) Small business bidders qualified under this chapter shall have precedence over other business bidders so that the application of any bidder preference for which another business bidder may be eligible by law does not result in the denial of the contract award to a small business bidder. This subsection applies if the small business bidder is the lowest responsible bidder, as well as if the small business is eligible for the contract award as the result of the small business bidder preference applied under this section.

(3) The preferences under subsection (1)(a) of this section may not be awarded to a noncompliant bidder and may not be used to achieve any applicable minimum bidding requirements. The preferences may be used only in evaluating bids or proposals for awards. In no instance may the increase be paid to a bidder whose bid is accepted.

(4)(a) This section applies to a purchasing agency's purchase of goods and services to the maximum extent consistent with international trade agreement commitments and with applicable requirements of federal law. If a purchasing agency determines that compliance with this section may conflict with international trade agreement commitments or with federal requirements that are a prescribed condition to the allocation of federal funds to the state or if such compliance would otherwise conflict with federal law, the purchasing agency shall suspend the preference granted under this section only to the extent necessary to eliminate the conflict. A finding by one purchasing agency does not affect the application of this section to purchases by another purchasing agency or in another circumstance.

(b) Rules adopted under this section must meet federal requirements that are a necessary condition to the receipt of federal funds by the state.

(c) A purchasing agency may suspend the preference granted under this section for purchases made through a multistate contracting consortium, but the suspension is prohibited if it is done for the purpose of avoiding the application of the preference required under this section.

(5)(a) A business that is given the preference provided for in this section based on false information provided or on material information withheld, and which by reason of the information, or lack thereof, has been awarded a contract to which it would not otherwise have been entitled:

(i) Must pay the state an assessment equal to the difference between the contract amount and what the state's cost would have been if the contract had been properly awarded;

(ii) In addition to the amount specified in this subsection (5)(a) and except as provided in (b) of this subsection, must pay a civil penalty of ten percent of the amount of the contract involved or one thousand dollars, whichever is less; and

(iii) Is ineligible to directly or indirectly transact any business with the state for a period of not less than six months and not more than three years, as determined under criteria adopted by the affected purchasing agency. This ineligibility shall apply to the principals of the business and any subsequent businesses formed by those principals.

(b) In addition to being subject to the penalties under (a)(i) and (iii) of this subsection, a business that knowingly and with intent to defraud makes a false statement or fails to provide or conceals, or attempts to conceal, material information for the purpose of obtaining, or aiding another in obtaining, a preference under this section is subject to a civil penalty of ten percent of the amount of the contract involved or ten thousand dollars, whichever is greater.

(c)(i) A business subject to sanction under this subsection may request, within thirty days of the date of issuance of the notice of sanction, a hearing conducted pursuant to chapter 34.05 RCW.

(ii) If a business fails to pay an assessment or civil penalty after it has become final and not subject to further appeal, or after the court has entered final judgment in favor of the state, the attorney general may recover the assessment or penalty by action in the appropriate superior court. In such action, the validity and appropriateness of the final order imposing the assessment or penalty shall not be subject to review.

(d) Civil penalties collected under (a)(ii) and (b) of this subsection must be deposited in the small business bidding preference account created in section 3 of this act.

(6) As used in this section:

(a) "Purchasing agencies" are limited to the department of general administration, the department of information services, and the department of transportation.

(b) "In-state business" means a business that has its principal office located in Washington and its officers domiciled in Washington.

(c) "Small business" means an in-state business, including a sole proprietorship, corporation, partnership, or other legal entity, that: (i) Certifies, under penalty of perjury, that it is owned and operated independently from all other businesses and has either (A) fifty or fewer employees, or (B) a gross revenue of less than seven million dollars annually as reported on its federal income tax return or its return filed with the department of revenue over the previous three consecutive years; or (ii) is certified under chapter 39.19 RCW.

(7) Each purchasing agency must, in consultation with each other, adopt rules necessary to implement this section.

(8) Each December 1st, beginning with a preliminary report on December 1, 2010, the department of general administration, in consultation with the department of information services and the department of transportation, shall report to the governor and the appropriate committees of the legislature on the preference program under this section. Annual reports must include information about the program's progress in increasing the number of small businesses participating in state contracts, the number of contracts under which preferences were given, and the characteristics of small businesses that participated in the program.

(9) This section applies to contracts awarded on or after November 1, 2010, but before July 1, 2014.

(10) This section expires December 31, 2014.

**NEW SECTION. Sec. 19.** A new section is added to chapter 43.19 RCW to read as follows:

(1) The small business bidding preference account is created in the custody of the state treasurer. All receipts from civil penalties collected under section 2 of this act must be deposited into the account. Expenditures from the account may be used only toward defraying the costs of adjudications that occur under section 2 of this act. Only the director of the office of financial management or the director's designee may authorize expenditures from the account on the request of the director of general administration, the director of information services, or the secretary of transportation, or their respective designees. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(2) This section expires July 1, 2015.

**Sec. 20.** RCW 39.29.050 and 1983 c 120 s 12 are each amended to read as follows:

All contracts entered into under this chapter (~~(on or after September 1, 1983,)~~) are subject to the requirements established under:

(1) Section 2 of this act, with respect to the departments of general administration, information services, and transportation; and

(2) On or after September 1, 1983, chapter 39.19 RCW.

**Sec. 21.** RCW 43.19.1901 and 1987 c 434 s 23 are each amended to read as follows:

The term "purchase" as used in RCW 43.19.190 through 43.19.200, and as they may hereafter be amended, shall include leasing or renting(~~(: PROVIDED, That).~~ However, the purchasing, leasing, or renting of electronic data processing equipment shall not be included in the term "purchasing" if and when such transactions are otherwise expressly provided for by law, except that such purchasing, leasing, or renting by the departments of general administration, information services, and transportation is subject to section 2 of this act.

~~((The acquisition of job services and all other services for the family independence program under chapter 74.21 RCW shall not be included in the term "purchasing" under this chapter.))~~

**NEW SECTION. Sec. 22.** 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."

Correct the title.

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

Amendment (1142) 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 Hasegawa and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Morris Presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1096.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1096, and the bill passed the House by the following vote: Yeas, 84; Nays, 10; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Goodman, Green, Haigh, Haler, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Kristiansen, Lias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Pearson, Pettigrew, Priest, Probst, Quall, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove,

Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Condotta, Crouse, Herrera, Klippert, Kretz, McCune, Parker, Roach, Shea and Short.

Excused: Representatives Carlyle, Flannigan, Hurst and Pedersen.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1096, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1149, by Representatives Williams, Roach, Simpson, Kirby, Dunshee, Nelson and Ormsby**

**Protecting consumers from breaches of security.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1149 was substituted for House Bill No. 1149 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1149 was read the second time.

Representative Williams moved the adoption of amendment (1114).

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 23.** The legislature recognizes that data breaches of credit and debit card information contribute to identity theft and fraud and can be costly to consumers. The legislature also recognizes that when a breach occurs, remedial measures such as reissuance of credit or debit cards affected by the breach can help to reduce the incidence of identity theft and associated costs to consumers. Accordingly, the legislature intends to encourage financial institutions to reissue credit and debit cards to consumers when appropriate, and to permit financial institutions to recoup data breach costs associated with the reissuance from large businesses and card processors who are negligent in maintaining or transmitting card data.

**NEW SECTION. Sec. 24.** A new section is added to chapter 19.255 RCW to read as follows:

(1) For purposes of this section:

(a) "Access device" has the same meaning as in RCW 9A.56.010.

(b) "Account information" means: (i) The full, unencrypted magnetic stripe of an access device; (ii) the full, unencrypted account information contained on an identification device as defined under RCW 19.300.010; or (iii) the unencrypted primary account number on an access device or identification device, plus any of the following if not encrypted: Cardholder name, expiration date, or service code.

(c) "Breach" has the same meaning as "breach of the security of the system" in RCW 19.255.010.

(d) "Business" means an individual, partnership, corporation, association, organization, government entity, or any other legal or commercial entity that processes more than six million access device transactions annually, and who offers or sells goods or services to persons who are residents of Washington.

(e) "Encrypted" means enciphered or encoded using standards reasonable for the breached business or processor taking into account the business or processor's size and the number of transactions processed annually.

(f) "Financial institution" has the same meaning as in RCW 30.22.040.

(g) "Processor" means an individual, partnership, corporation, association, organization, government entity, or any other legal or commercial entity, other than a business as defined under this section, that directly processes or transmits account information for or on behalf of another person as part of a payment processing service.

(h) "Service code" means the three or four digit number in the magnetic stripe or on an access device that is used to specify acceptance requirements or to validate the card.

(i) "Vendor" means an individual, partnership, corporation, association, organization, government entity, or any other legal or commercial entity that manufactures and sells software or equipment that is designed to process, transmit, or store account information.

(2) Processors, businesses, and vendors are not liable under this section if (a) the account information was encrypted during storage and transmittal at the time of the breach, or (b) the processor, business, or vendor was certified compliant with the payment card industry data security standards adopted by the payment card industry security standards council, and in force at the time of the breach. A processor, business, or vendor will be considered compliant with payment card industry data security standards, if its compliance was validated on all system components where cardholder data is stored, processed, or transmitted at the time of its last annual security assessment, and if this assessment took place no more than one year prior to the time of the breach.

(3)(a) If a processor or business fails to take reasonable care to guard against unauthorized access to account information that is in the possession or under the control of the business or processor, and the failure is found to be the proximate cause of a breach, the processor or business is liable to a financial institution for reimbursement of reasonable actual costs related to the reissuance of access devices that are incurred by the financial institution to mitigate potential current or future damages to its access device account holders that reside in the state of Washington as a consequence of the breach, even if the financial institution has not suffered a physical injury in connection with the breach. In any legal action brought pursuant to this subsection, the prevailing party is entitled to recover its reasonable attorneys' fees and costs incurred in connection with the legal action.

(b) A vendor, instead of a processor or business, is liable to a financial institution for the damages described in (a) of this subsection to the extent that the damages were proximately caused by the vendor's negligence and if the claim is not limited or foreclosed by another provision of law or by a contract to which the financial institution is a party.

(4) Nothing in this section may be construed as preventing or foreclosing any entity responsible for handling account information on behalf of a business or processor from being made a party to an action under this section.

(5) Nothing in this section may be construed as preventing or foreclosing a processor, business, or vendor from asserting any defense otherwise available to it in an action including, but not limited to, defenses of contract, or of contributory or comparative negligence.

(6) In cases to which this section applies, the trier of fact shall determine the percentage of the total fault which is attributable to every entity which was the proximate cause of the claimant's damages.

(7) The remedies under this section are cumulative and do not restrict any other right or remedy otherwise available under law, however a trier of fact may reduce damages awarded to a financial institution by any amount the financial institution recovers from a

credit card company in connection with the breach, for costs associated with access card reissuance.

NEW SECTION. Sec. 25. This act takes effect July 1, 2010.

NEW SECTION. Sec. 26. This act applies prospectively only. This act applies to any breach occurring on or after the effective date of this section."

Correct the title.

Representatives Williams, DeBolt and Bailey spoke in favor of the adoption of the amendment.

Amendment (1114) 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.

Representative Williams spoke in favor of the passage of the bill.

Representative Bailey spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1149.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1149, and the bill passed the House by the following vote: Yeas, 63; Nays, 31; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Goodman, Green, Haigh, Hasegawa, Herrera, Hudgins, Hunt, Hunter, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Chandler, Condotta, Crouse, Dammeier, DeBolt, Ericksen, Fagan, Haler, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Parker, Pearson, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor and Walsh.

Excused: Representatives Carlyle, Flannigan, Hurst and Pedersen.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1149, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1697, by Representatives Lias, Priest, Sullivan, Quall, Upthegrove, Santos, Kenney and Ormsby**

**Regarding career and technical student organizations.**

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 Liias and Priest spoke in favor of 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. 1697.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1697, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Flannigan, Hurst and Pedersen.

HOUSE BILL NO. 1697, having received the necessary constitutional majority, was declared passed.

#### HOUSE BILL NO. 2138, by Representatives Simpson and Chase

##### Concerning the use of surplus property for the development of affordable housing.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2138 was substituted for Engrossed House Bill No. 2138 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2138 was read the second time.

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

Representative Simpson spoke in favor of the passage of the bill.

Representative Angel spoke against the 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. 2138.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2138, and the bill passed the House by the following vote: Yeas, 58; Nays, 36; Absent, 0; Excused, 4.

Voting yea: Representatives Appleton, Blake, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pettigrew, Priest, Probst, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Campbell, Chandler, Condotta, Crouse, Dammeier, DeBolt, Ericksen, Fagan, Haler, Herrera, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Parker, Pearson, Roach, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh and Warnick.

Excused: Representatives Carlyle, Flannigan, Hurst and Pedersen.

SUBSTITUTE HOUSE BILL NO. 2138, having received the necessary constitutional majority, was declared passed.

#### HOUSE BILL NO. 2580, by Representatives Liias, Simpson and Sullivan

##### Concerning secondary career and technical education courses.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2580 was substituted for House Bill No. 2580 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2580 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 Liias and Priest spoke in favor of the 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. 2580.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2580, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Flannigan, Hurst and Pedersen.

SUBSTITUTE HOUSE BILL NO. 2580, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2680, by Representatives Roberts, Kagi, Angel, Seaquist, Walsh, Maxwell and Kenney**

**Implementing a guardianship program.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2680 was substituted for House Bill No. 2680 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2680 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 Roberts and Haler spoke in favor of the 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. 2680.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2680, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Flannigan, Hurst and Pedersen.

SUBSTITUTE HOUSE BILL NO. 2680, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2750, by Representatives Sells, Crouse, Dunshee and Simpson**

**Addressing public utility districts and deferred compensation and supplemental savings plans.**

The bill was read the second time.

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

Representative Sells spoke in favor of 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. 2750.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2750, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 1; Excused, 4.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Flannigan, Hurst and Pedersen.

Absent: Representative Probst.

HOUSE BILL NO. 2750, having received the necessary constitutional majority, was declared passed.

**STATEMENT FOR THE JOURNAL**

I intended to vote YEA on House Bill No. 2750.

Tim Probst, 17th District

**SECOND READING**

**HOUSE BILL NO. 2933, by Representatives Ericks, Morrell and Dammeier**

**Modifying sales and use tax provisions for the local infrastructure financing tool program.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2933 was substituted for House Bill No. 2933 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2933 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 Ericks and Orcutt spoke in favor of the 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. 2933.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2933, and the bill passed the House by the following vote: Yeas, 90; Nays, 4; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Condotta, Klippert, Kristiansen and Roach.

Excused: Representatives Carlyle, Flannigan, Hurst and Pedersen.

SUBSTITUTE HOUSE BILL NO. 2933, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 2984, by Representatives Maxwell, Clibborn, Eddy, Goodman and Hunter

#### Concerning a sales and use tax deferral for performing arts centers.

The bill was read the second time.

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

Representative Maxwell spoke in favor of the passage of the bill.

Representative Orcutt 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. 2984.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2984, and the bill passed the House by the following vote: Yeas, 54; Nays, 40; Absent, 0; Excused, 4.

Voting yea: Representatives Anderson, Appleton, Blake, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Goodman, Green, Haigh, Hudgins, Hunt, Hunter, Jacks, Kagi, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, O'Brien, Ormsby, Orwall, Pettigrew, Probst, Quall, Roberts, Rodne, Rolfes, Santos, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Armstrong, Bailey, Campbell, Chandler, Condotta, Crouse, Dammeier, DeBolt, Fagan, Finn, Haler, Hasegawa, Herrera, Hinkle, Hope, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, Morrell, Nealey, Orcutt, Parker, Pearson, Priest, Roach, Ross, Schmick, Seaquist, Shea, Short, Smith, Taylor, Wallace, Walsh and Warnick.

Excused: Representatives Carlyle, Flannigan, Hurst and Pedersen.

HOUSE BILL NO. 2984, having received the necessary constitutional majority, was declared passed.

### STATEMENT FOR THE JOURNAL

I intended to vote NAY on House Bill No. 2984.

Tim Probst, 17th District

### SECOND READING

#### HOUSE BILL NO. 2987, by Representatives Simpson and Williams

#### Addressing the impact on the firefighters' pension fund when a city or town enters a regional fire protection service authority.

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 Simpson and Bailey spoke in favor of 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. 2987.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2987, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Carlyle, Flannigan, Hurst and Pedersen.

HOUSE BILL NO. 2987, having received the necessary constitutional majority, was declared passed.

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

There being no objection, the House adjourned until 9:00 a.m., February 15, 2010, the 36th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

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