

**FIFTY SEVENTH DAY**

House Chamber, Olympia, Monday, March 7, 2011

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Ty'Zhaun Lewis and Myah Dawkins. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Dr. Francis Jeffery, Chaplain Emeritus, Military Order of the Purple Heart, Lakewood Washington.

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

**MESSAGE FROM THE SENATE**

March 5, 2011

MR. SPEAKER:

The Senate has passed:

SENATE BILL 5516  
ENGROSSED SENATE BILL 5566  
ENGROSSED SENATE BILL 5647

ENGROSSED SECOND SUBSTITUTE SENATE BILL 5769  
and the same are herewith transmitted.

Thomas Hoemann, Secretary

**INTRODUCTIONS AND FIRST READING**

HB 2012 by Representatives Lias, Armstrong, Takko, Hinkle, Finn, Uphegrove, Rolfes, Rodne, Reykdal, McCune, Wilcox, Angel, Blake, Chandler, Johnson, Kristiansen, Orcutt and Warnick

AN ACT Relating to the fuel tax used to determine fuel tax distributions to certain accounts; amending RCW 46.10.530 and 79A.25.070; reenacting and amending RCW 46.09.520; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 2013 by Representatives Armstrong, Angel, Rodne and Johnson

AN ACT Relating to providing transparency and legislative oversight of tribal fuel tax agreements; amending RCW 82.36.450 and 82.38.310; and declaring an emergency.

Referred to Committee on State Government & Tribal Affairs.

SSB 5022 by Senate Committee on Judiciary (originally sponsored by Senators Kilmer, Regala, Pflug and Rockefeller)

AN ACT Relating to clarifying the statute of limitations for any court action brought under RCW 42.56.550; reenacting and amending RCW 42.56.550; creating new sections; and declaring an emergency.

Referred to Committee on State Government & Tribal Affairs.

ESSB 5124 by Senate Committee on Government Operations, Tribal Relations & Elections (originally sponsored by Senators White, Pridemore, Fraser and Shin)

AN ACT Relating to elections by mail; amending RCW 29A.04.008, 29A.04.013, 29A.04.019, 29A.04.031, 29A.04.037, 29A.04.216, 29A.04.220, 29A.04.235, 29A.04.255, 29A.04.470, 29A.04.540, 29A.04.580, 29A.04.611, 29A.08.130, 29A.08.140, 29A.08.440, 29A.08.620, 29A.08.720, 29A.08.775, 29A.08.810, 29A.08.820, 29A.12.085, 29A.12.110, 29A.12.120, 29A.12.160, 29A.16.040, 29A.24.081, 29A.28.061, 29A.32.241, 29A.32.260, 29A.36.115, 29A.36.131, 29A.36.161, 29A.36.220, 29A.40.010, 29A.40.020, 29A.40.050, 29A.40.070, 29A.40.091, 29A.40.100, 29A.40.110, 29A.40.130, 29A.46.260, 29A.56.490, 29A.60.040, 29A.60.050, 29A.60.060, 29A.60.110, 29A.60.120, 29A.60.160, 29A.60.160, 29A.60.170, 29A.60.180, 29A.60.190, 29A.60.190, 29A.60.195, 29A.60.200, 29A.60.230, 29A.60.235, 29A.64.041, 29A.68.020, 29A.68.070, 29A.68.080, 29A.84.020, 29A.84.050, 29A.84.510, 29A.84.520, 29A.84.530, 29A.84.540, 29A.84.545, 29A.84.550, 29A.84.655, 29A.84.730, 27.12.370, 36.83.110, 36.93.030, 40.24.060, 52.04.071, 85.38.125, and 90.72.040; reenacting and amending RCW 29A.60.165 and 29A.84.680; adding a new section to chapter 29A.44 RCW; adding a new section to chapter 29A.52 RCW; adding a new section to chapter 29A.04 RCW; creating a new section; recodifying RCW 29A.46.260; repealing RCW 29A.04.049, 29A.04.115, 29A.04.128, 29A.08.430, 29A.12.090, 29A.16.010, 29A.16.020, 29A.16.030, 29A.16.060, 29A.16.110, 29A.16.120, 29A.16.130, 29A.16.140, 29A.16.150, 29A.16.160, 29A.16.170, 29A.24.151, 29A.24.161, 29A.40.030, 29A.40.040, 29A.40.061, 29A.40.061, 29A.40.080, 29A.40.120, 29A.40.140, 29A.44.010, 29A.44.020, 29A.44.030, 29A.44.040, 29A.44.045, 29A.44.050, 29A.44.060, 29A.44.070, 29A.44.080, 29A.44.090, 29A.44.110, 29A.44.120, 29A.44.130, 29A.44.140, 29A.44.150, 29A.44.160, 29A.44.170, 29A.44.180, 29A.44.190, 29A.44.201, 29A.44.205, 29A.44.207, 29A.44.210, 29A.44.221, 29A.44.225, 29A.44.231, 29A.44.240, 29A.44.250, 29A.44.260, 29A.44.265, 29A.44.270, 29A.44.280, 29A.44.290, 29A.44.310, 29A.44.320, 29A.44.330, 29A.44.340, 29A.44.350, 29A.44.410, 29A.44.420, 29A.44.430, 29A.44.440, 29A.44.450, 29A.44.460, 29A.44.470, 29A.44.480, 29A.44.490, 29A.44.500, 29A.44.510,

29A.44.520, 29A.44.530, 29A.46.010, 29A.46.020,  
 29A.46.030, 29A.46.110, 29A.46.120, 29A.46.130,  
 29A.48.010, 29A.48.020, 29A.48.030, 29A.48.040,  
 29A.48.050, 29A.48.060, 29A.52.311, 29A.52.351,  
 29A.60.030, 29A.60.080, 29A.84.525, 29A.84.670,  
 29A.84.670, and 29A.84.740; prescribing penalties; providing  
 an effective date; and providing an expiration date.

Referred to Committee on State Government & Tribal  
 Affairs.

SB 5143 by Senators McAuliffe and Shin

AN ACT Relating to the annexation of unincorporated areas  
 served by fire protection districts; and amending RCW  
 35.13.238, 35A.14.480, and 36.93.105.

Referred to Committee on Local Government.

2ESSB 5171 by Senate Committee on Government Operations,  
 Tribal Relations & Elections (originally sponsored by  
 Senators Hobbs, Roach, Swecker, Pridemore, Shin,  
 King, Kilmer, Hill, Keiser and McAuliffe)

AN ACT Relating to facilitating voting for service and  
 overseas voters; amending RCW 29A.04.255, 29A.04.311,  
 29A.04.321, 29A.16.040, 29A.24.040, 29A.24.050,  
 29A.24.131, 29A.24.141, 29A.24.171, 29A.24.181,  
 29A.24.191, 29A.24.311, 29A.28.041, 29A.40.070,  
 29A.40.091, 29A.40.110, 29A.56.030, 29A.60.190,  
 29A.60.190, 29A.60.240, 29A.64.011, 29A.64.030,  
 29A.68.011, 29A.76.010, and 42.12.070; reenacting and  
 amending RCW 29A.04.330 and 29A.36.010; repealing RCW  
 29A.04.310, 29A.24.151, 29A.24.161, 29A.24.210,  
 29A.24.211, 29A.36.011, and 29A.40.150; repealing 2005 c 2  
 s 15; prescribing penalties; providing effective dates;  
 providing an expiration date; and declaring an emergency.

Referred to Committee on State Government & Tribal  
 Affairs.

ESSB 5186 by Senate Committee on Natural Resources &  
 Marine Waters (originally sponsored by Senators  
 Kastama, Delvin and Eide)

AN ACT Relating to skiing in an area closed to the public;  
 amending RCW 9A.52.080; and prescribing penalties.

Referred to Committee on Environment.

SB 5241 by Senators Roach and Tom

AN ACT Relating to the authority of a watershed  
 management partnership; and amending RCW 39.34.215.

Referred to Committee on Judiciary.

SSB 5298 by Senate Committee on Transportation (originally  
 sponsored by Senators White, Ericksen, Carrell, Shin,  
 Ranker, Hill and Conway)

AN ACT Relating to authorizing the use of digital outdoor  
 advertising signs to expand the state's emergency messaging  
 capabilities; amending RCW 47.42.062; adding new sections  
 to chapter 47.42 RCW; and creating new sections.

Referred to Committee on Transportation.

SSB 5343 by Senate Committee on Agriculture & Rural  
 Economic Development (originally sponsored by  
 Senators Haugen, Delvin, Hatfield, Honeyford, Becker,  
 Shin and Schoesler)

AN ACT Relating to air emissions from anaerobic digesters;  
 reenacting and amending RCW 70.94.152; and adding a new  
 section to chapter 70.94 RCW.

Referred to Committee on Environment.

SSB 5359 by Senate Committee on Agriculture & Rural  
 Economic Development (originally sponsored by  
 Senators Morton, Swecker, Honeyford and Schoesler)

AN ACT Relating to contiguous land under current use open  
 space property tax programs; and amending RCW 84.34.020,  
 84.33.035, 84.33.078, and 82.04.333.

Referred to Committee on Agriculture & Natural Resources.

SSB 5374 by Senate Committee on Agriculture & Rural  
 Economic Development (originally sponsored by  
 Senators Becker and Hobbs)

AN ACT Relating to making technical, nonsubstantive  
 changes to department of agriculture-related sections;  
 amending RCW 15.26.120, 15.30.200, 90.64.030, 15.48.280,  
 15.60.065, 15.60.085, 15.60.095, 15.65.375, 15.66.245,  
 15.76.115, 16.24.120, 17.21.150, 17.26.020, 15.65.280,  
 15.66.140, 15.89.070, 15.115.140, 15.65.243, 15.65.510,  
 15.65.550, 15.66.113, 20.01.205, 15.65.033, 15.66.010,  
 15.66.017, 15.24.900, 15.28.015, 15.44.015, 15.88.025,  
 15.89.025, 15.92.010, 15.115.020, 16.67.035, 15.58.030,  
 17.15.030, 17.21.100, 19.94.015, 20.01.010, 20.01.475,  
 20.01.510, 20.01.520, and 17.24.210; reenacting and  
 amending RCW 15.65.020; creating a new section; and  
 repealing RCW 15.58.380.

Referred to Committee on Agriculture & Natural Resources.

SB 5463 by Senators Kilmer, Becker, Kastama, Shin, Tom and  
 White

AN ACT Relating to common student identifiers for  
 community and technical colleges; and amending RCW  
 28B.50.090.

Referred to Committee on Higher Education.

SB 5492 by Senators Schoesler, Hatfield and Hewitt

AN ACT Relating to the Washington beer commission; and  
 amending RCW 15.89.020, 15.89.040, 15.89.050, 15.89.100,  
 and 15.89.110.

Referred to Committee on State Government & Tribal  
 Affairs.

SB 5501 by Senators Murray, Kilmer, Schoesler, Conway,  
 Honeyford, Kohl-Welles, Keiser, Shin, Holmquist  
 Newbury and White

AN ACT Relating to the taxation of employee meals provided without specific charge; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SSB 5525 by Senate Committee on Ways & Means (originally sponsored by Senators Kilmer and Carrell)

AN ACT Relating to hospital benefit zones that have already formed; and amending RCW 39.100.010, 39.100.020, 82.14.465, and 82.14.470.

Referred to Committee on Ways & Means.

SSB 5540 by Senate Committee on Transportation (originally sponsored by Senators Hobbs, Delvin, King and Hewitt)

AN ACT Relating to automated school bus safety cameras; amending RCW 46.61.370, 46.63.030, 46.63.030, 46.63.075, 46.63.075, 46.16A.120, and 46.16A.120; adding a new section to chapter 46.63 RCW; creating a new section; prescribing penalties; and providing a contingent effective date.

Referred to Committee on Education.

ESSB 5555 by Senate Committee on Environment, Water & Energy (originally sponsored by Senators Parlette, Hatfield, Morton, Honeyford and Hewitt)

AN ACT Relating to interbasin transfers of water rights; amending RCW 90.03.380 and 90.03.380; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

SSB 5590 by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senator Benton)

AN ACT Relating to lien holder requirements for certain foreclosure sales; amending RCW 61.24.127; and adding a new section to chapter 64.04 RCW.

Referred to Committee on Judiciary.

ESB 5638 by Senators Keiser, Fain, Prentice and Shin

AN ACT Relating to the exemption of flood control zone districts that are coextensive with a county from certain limitations upon regular property tax levies while protecting other levies from prorationing; amending RCW 84.52.010, 84.52.043, and 84.52.120; and creating a new section.

Referred to Committee on Ways & Means.

ESB 5730 by Senator Rockefeller

AN ACT Relating to usage-based automobile insurance and exempting certain usage-based insurance information from public inspection; amending RCW 48.19.040; and creating a new section.

Referred to Committee on Business & Financial Services.

ESSB 5748 by Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Rockefeller, Honeyford and Chase)

AN ACT Relating to cottage food operations; amending RCW 69.07.010, 69.07.040, and 69.07.080; and adding a new section to chapter 69.07 RCW.

Referred to Committee on Agriculture & Natural Resources.

SSB 5749 by Senate Committee on Higher Education & Workforce Development (originally sponsored by Senators Brown, Hewitt and Shin)

AN ACT Relating to the Washington advanced college tuition payment program; amending RCW 28B.95.020, 28B.95.030, and 28B.95.110; and adding new sections to chapter 28B.95 RCW.

Referred to Committee on Higher Education.

SSB 5800 by Senate Committee on Transportation (originally sponsored by Senators King, Haugen and Shin)

AN ACT Relating to authorizing the use of modified off-road motorcycles on public roads; amending RCW 46.09.470; adding a new section to chapter 46.04 RCW; adding a new section to chapter 46.61 RCW; adding a new section to chapter 46.16A RCW; and providing an effective date.

Referred to Committee on Transportation.

SB 5849 by Senators Prentice and Parlette

AN ACT Relating to estates and trusts; amending RCW 11.108.090 and 11.86.031; creating new sections; and declaring an emergency.

Referred to Committee on Judiciary.

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

## SECOND READING

**HOUSE BILL NO. 1663, by Representatives Parker, Ormsby, Probst, Billig, Schmick, Fagan, Angel and Ahern**

**Removing the requirement that institutions of higher education purchase from correctional industries.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1663 was substituted for House Bill No. 1663 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1663 was read the second time.

## MOTIONS

On motion of Representative Van De Wege, Representatives Eddy and Upthegrove were excused. On motion of Representative Hinkle, Representatives Ahern and Condotta were excused.

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

Representatives Parker, Haler and Seaquist 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. 1663.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1663, 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, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representatives Ahern, Eddy and Upthegrove.

SUBSTITUTE HOUSE BILL NO. 1663, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1663.  
Representative Ahern, 6th District

#### SECOND READING

**HOUSE BILL NO. 1021, by Representatives Goodman, Rodne, Pedersen, Roberts, Kagi, Kenney, Appleton and Maxwell**

**Concerning persons appointed by the court to provide information in family law and adoption cases.**

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, Rodne and Shea 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. 1021.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1021, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representatives Ahern and Eddy.

HOUSE BILL NO. 1021, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote YEA on House Bill No. 1021.  
Representative Ahern, 6th District

#### SECOND READING

**HOUSE BILL NO. 1166, by Representatives Liias, Goodman, Roberts, Appleton and Fitzgibbon**

**Preventing alcohol poisoning deaths.**

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, Goodman, Hurst and Van De Wege spoke in favor of the passage of the bill.

Representatives Klippert, Hope, Smith, Taylor, Buys, Anderson, Angel, Hinkle, Pearson, Hope (again), Shea, Rodne, Bailey, Klippert (again), Warnick, Harris, Overstreet and Shea (again) spoke against 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. 1166.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1166, and the bill passed the House by the following vote: Yeas, 57; Nays, 39; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Rolfes, Ross, Ryu, Santos, Seaquist,

Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Hope, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Rodne, Schmick, Shea, Short, Smith, Taylor, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Ahern and Eddy.

HOUSE BILL NO. 1166, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote NAY on House Bill No. 1166.  
Representative Ahern, 6th District

#### SECOND READING

**HOUSE BILL NO. 1367, by Representatives Green, Moeller, Rolfes, Hasegawa, Pettigrew, Sells, Ryu, Appleton, Hunt, Seaquist, Miloscia, Ormsby and Roberts**

**Concerning for hire vehicles and for hire vehicle operators.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1367 was substituted for House Bill No. 1367 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1367 was read the second time.

Representative Frockt moved the adoption of amendment (331).

On page 6, beginning on line 3, strike all of sections 8 through 10 and insert the following:

**"NEW SECTION. Sec. 8.** A new section is added to chapter 81.72 RCW to read as follows:

(1) Any city, town, county, or port district setting the rates charged for taxicab services under this chapter must consider adjusting the rates to offset any increased cost to any taxicab transportation business from mandatory industrial or other insurance coverage.

(2) Any business that as owner leases a taxicab licensed under this chapter to a for hire operator must make a reasonable effort to train the for hire operator in motor vehicle operation and safety requirements and monitor operator compliance. Monitoring operator compliance may include the use of vehicle operator monitoring cameras."

Re-number the remaining section consecutively and correct any internal references accordingly.

Correct the title.

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

Representatives Condotta and Shea spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Moeller presiding) divided the House. The result was 52 - YEAS; 44 - NAYS.

Amendment (331) 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 Green, Condotta, Shea and Smith 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. 1367.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1367, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representatives Ahern and Eddy.

SUBSTITUTE HOUSE BILL NO. 1367, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote YEA on Engrossed Substitute House Bill No. 1367.

Representative Ahern, 6th District

#### SECOND READING

**HOUSE BILL NO. 1625, by Representatives Hunter, Bailey, Seaquist, Hinkle, Moeller and Carlyle**

**Addressing the default investment option available to new members of the plan 3 retirement systems.**

The bill was read the second time.

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

Representatives Hunter and 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 House Bill No. 1625.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1625, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representatives Ahern and Eddy.

HOUSE BILL NO. 1625, having received the necessary constitutional majority, was declared passed.

**STATEMENT FOR THE JOURNAL**

I intended to vote YEA on House Bill No. 1625.

Representative Ahern, 6th District

**SECOND READING**

**HOUSE BILL NO. 1826, by Representatives Orcutt, Sells, McCune, Rolfes, Angel and Hurst**

**Providing taxpayers additional appeal protections for value changes.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1826 was substituted for House Bill No. 1826 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1826 was read the second time.

Representative Orcutt moved the adoption of amendment (260).

On page 2, line 5, after "filing." strike all material through "subsection." on line 7 and insert "However, the board of equalization must waive the filing deadline for the circumstance described under (f) of this subsection if the petition is filed within a reasonable time after the filing deadline."

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

Amendment (260) 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 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 Engrossed Substitute House Bill No. 1826.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1826, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representatives Ahern and Eddy.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1826, having received the necessary constitutional majority, was declared passed.

**STATEMENT FOR THE JOURNAL**

I intended to vote YEA on Engrossed Substitute House Bill No. 1826.

Representative Ahern, 6th District

**SECOND READING**

**HOUSE BILL NO. 1223, by Representatives Fitzgibbon, Green, Darneille, Jinkins, Ladenburg and Takko**

**Authorizing use of hearing officers for street vacation hearings.**

The bill was read the second time.

Representative Fitzgibbon moved the adoption of amendment (346).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 35.79.030 and 2002 c 55 s 1 are each amended to read as follows:

The hearing on such petition may be held before the legislative authority, (~~(or)~~) before a committee thereof, or before a hearing examiner, upon the date fixed by resolution or at the time (~~(said)~~) the hearing may be adjourned to. If the hearing is before (~~(such)~~) a committee the same shall, following the hearing, report its recommendation on the petition to the legislative authority which may adopt or reject the recommendation. If (~~(such)~~) the hearing (~~(be)~~) is held before (~~(such)~~) a committee it shall not be necessary to hold a hearing on the petition before (~~(such)~~) the legislative authority. If the hearing is before a hearing examiner, the hearing examiner shall, following the hearing, report its recommendation on the petition to

the legislative authority, which may adopt or reject the recommendation. If a hearing is held before a hearing examiner, it shall not be necessary to hold a hearing on the petition before the legislative authority. If the legislative authority determines to grant ((said)) the petition or any part thereof, such city or town shall be authorized and have authority by ordinance to vacate such street, or alley, or any part thereof, and the ordinance may provide that it shall not become effective until the owners of property abutting upon the street or alley, or part thereof so vacated, shall compensate such city or town in an amount which does not exceed one-half the appraised value of the area so vacated. If the street or alley has been part of a dedicated public right-of-way for twenty-five years or more, or if the subject property or portions thereof were acquired at public expense, the city or town may require the owners of the property abutting the street or alley to compensate the city or town in an amount that does not exceed the full appraised value of the area vacated. The ordinance may provide that the city retain an easement or the right to exercise and grant easements in respect to the vacated land for the construction, repair, and maintenance of public utilities and services. A certified copy of such ordinance shall be recorded by the clerk of the legislative authority and in the office of the auditor of the county in which the vacated land is located. One-half of the revenue received by the city or town as compensation for the area vacated must be dedicated to the acquisition, improvement, development, and related maintenance of public open space or transportation capital projects within the city or town."

Correct the title.

Representative Overstreet moved the adoption of amendment (378) to amendment (346).

On page 1, line 8 of the amendment, after "to" insert "PROVIDED, That the petitioner may request that the hearing on the petition be held before the legislative authority"

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

Representative Takko spoke against the adoption of the amendment.

Amendment (378) was not adopted.

Representative Taylor moved the adoption of amendment (379) to amendment (346).

On page 1, line 16 of the amendment, after "recommendation" insert "PROVIDED, That the hearing examiner must include in its report to the legislative authority an explanation of the facts and reasoning underlying a recommendation to deny a petition"

Representatives Taylor and Takko spoke in favor of the adoption of the amendment.

Amendment (379) was adopted.

Representative Short moved the adoption of amendment (377) to amendment (346).

On page 2, line 10 of the amendment, strike "public open space or" and insert "((public open space or))"

Representatives Short and Shea spoke in favor of the adoption of the amendment.

Representative Takko spoke against the adoption of the amendment.

Amendment (377) was not adopted.

Representatives Fitzgibbon and Angel spoke in favor of the adoption amendment (346).

Amendment (346) 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.

Representatives Fitzgibbon, Angel, Taylor, Parker and Asay 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 House Bill No. 1223.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1223, 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, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Overstreet and Shea.

Excused: Representatives Ahern and Eddy.

ENGROSSED HOUSE BILL NO. 1223, having received the necessary constitutional majority, was declared passed.

### STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed House Bill No. 1223.

Representative Ahern, 6th District

### SECOND READING

**HOUSE BILL NO. 1357, by Representatives Carlyle, Parker, Hunter, Dickerson, Roberts and Kenney**

**Providing the department of revenue with additional flexibility to achieve operational efficiencies through the expanded use of electronic means to remit and report taxes.**

The bill was read the second time.

With the consent of the house, amendments (391) and (339) were withdrawn.

Representative Chandler moved the adoption of amendment (393).

On page 7, line 12, after "liabilities," strike "including" and insert "or willfully disregarded"

On page 7, line 30, after "instructions." insert "A taxpayer will be considered to have willfully disregarded the requirement to file returns or remit payment electronically if the department has mailed or otherwise delivered the specific written instructions to the taxpayer on at least two occasions."

Representatives Chandler and Carlyle spoke in favor of the adoption of the amendment.

Amendment (393) 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 Carlyle, Hunter and Alexander spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

#### COLLOQUY

Representative Alexander: "Is it the understanding of the gentleman from the 48<sup>th</sup> District that individuals and small businesses that file annually are not required to submit a waiver request beginning this year if they elect to file other than electronically?"

Representative Hunter: "Yes, the Department of Revenue will encourage, but waive annual filers from requiring to file electronically today, but will review this for the future if it becomes feasible."

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1357.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1357, and the bill passed the House by the following vote: Yeas, 65; Nays, 31; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Appleton, Asay, Billig, Blake, Carlyle, Chandler, Clibborn, Cody, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Harris, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Jacks, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Rolfes, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Angel, Armstrong, Bailey, Buys, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove, Hope, Hurst, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Pearson, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh and Warnick.

Excused: Representatives Ahern and Eddy.

ENGROSSED HOUSE BILL NO. 1357, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed House Bill No. 1357.

Representative Ahern, 6th District

#### SECOND READING

**HOUSE BILL NO. 1874, by Representatives Dickerson, Hurst, Klippert, Pearson, Parker, Shea, Kenney, Angel, Kristiansen, Stanford, McCune and Ormsby**

**Addressing police investigations of commercial sexual exploitation of children and human trafficking.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1874 was substituted for House Bill No. 1874 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1874 was read the second time.

With the consent of the house, amendment (52) was withdrawn.

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

Representatives Dickerson, Pearson, Hurst, Angel, Klippert and Smith spoke in favor of the passage of the bill.

Representatives Appleton and Hasegawa spoke against 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. 1874.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1874, and the bill passed the House by the following vote: Yeas, 87; Nays, 9; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Armstrong, Asay, Bailey, Billig, Blake, Buys, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kelley, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Rivers, Roberts, Rodne, Rolfes, Ross, Schmick, Seaquist, Sells, Shea, Short, Smith, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Carlyle, Hasegawa, Kagi, Kenney, Reykdal, Ryu, Santos and Springer.

Excused: Representatives Ahern and Eddy.



SUBSTITUTE HOUSE BILL NO. 1874, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1874.  
Representative Ahern, 6th District

#### SECOND READING

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

**HOUSE BILL NO. 1053, by Representatives Moeller, Kenney, Ladenburg, Appleton, Roberts, Darneille and Upthegrove**

**Implementing recommendations from the Washington state bar association elder law section's executive committee report of the guardianship task force.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1053 was substituted for House Bill No. 1053 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1053 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 Moeller spoke in favor of the passage of the bill.

Representatives Rodne and Shea spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1053.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1053, and the bill passed the House by the following vote: Yeas, 56; Nays, 40; Absent, 0; Excused, 2.

Voting yea: Representatives Anderson, Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Hasegawa, Hope, Hudgins, Hunt, Hunter, Jacks, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Rolfes, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Hurst, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Ahern and Eddy.

SUBSTITUTE HOUSE BILL NO. 1053, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute House Bill No. 1053.  
Representative Ahern, 6th District

#### MESSAGES FROM THE SENATE

March 7, 2011

MR. SPEAKER:

The President has signed SUBSTITUTE SENATE BILL 5801 and the same is herewith transmitted.

Thomas Hoemann, Secretary

March 7, 2011

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL 5264  
SUBSTITUTE SENATE BILL 5356  
SENATE BILL 5367  
SENATE BILL 5395  
SUBSTITUTE SENATE BILL 5442  
SENATE BILL 5482  
SUBSTITUTE SENATE BILL 5487  
SENATE BILL 5497  
SUBSTITUTE SENATE BILL 5519  
SUBSTITUTE SENATE BILL 5553  
SUBSTITUTE SENATE BILL 5676  
SUBSTITUTE SENATE BILL 5688  
SUBSTITUTE SENATE BILL 5788

and the same are herewith transmitted.

Thomas Hoemann, Secretary

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

There being no objection, the Committee on Education was relieved of SUBSTITUTE SENATE BILL NO. 5540, and the bill was referred to the Committee on Transportation.

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

#### SECOND READING

**HOUSE BILL NO. 1789, by Representatives Goodman, Pedersen, Roberts and Miloscia**

**Addressing accountability for persons driving or being in physical control of a vehicle while under the influence of intoxicating liquor or any drug.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1789 was substituted for House Bill No. 1789 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1789 was read the second time.

Representative Goodman moved the adoption of amendment (420).

On page 7, line 16, after "(3)" strike "A" and insert "(a) Except as provided under subsection (3)(b) of this section, a"

On page 7, line 21, after "46.61.504," strike "or 46.61.5249,"

On page 7, line 22, after "ordinance" strike ", or of RCW 46.61.520 or 46.61.522"

On page 7, after line 22 insert "(b) A person convicted of reckless driving shall be required, under RCW 46.20.720, to install an ignition interlock device on all vehicles operated by the person if the conviction is the result of a charge that was originally filed as a violation of RCW 46.61.520 committed while under the influence of intoxicating liquor or any drug or 46.61.522 committed while under the influence of intoxicating liquor or any drug."

On page 9, beginning on line 26, after "person" strike all material through "46.61.522" on line 33 and insert "is convicted of a violation of RCW 46.61.5249 or RCW 46.61.500 and is required under RCW 46.61.5249(4) or RCW 46.61.500(3)(a) or (3)(b) to install an ignition interlock device on all vehicles operated by the person"

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

Amendment (420) was adopted.

Representative Kirby moved the adoption of amendment (421).

On page 11, line 8, after "less than" strike "one day" and insert "~~((one day))~~ three days"

On page 11, line 9, after "year." strike "Twenty-four consecutive hours of the" and insert "~~((Twenty four consecutive hours of the))~~ The three days of"

On page 11, line 18, after "the cost of" insert "incarceration for the three days to the prosecuting jurisdiction or pay the cost of"

On page 11, line 33, after "less than" strike "two days" and insert "~~((two days))~~ one week"

On page 11, line 34, after "year." strike "Two consecutive days of the" and insert "~~((Two consecutive days of the))~~ The one week of"

On page 12, line 5, after "cost of" insert "incarceration for one week to the prosecuting jurisdiction or pay the cost of"

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

Amendment (421) was adopted.

Representative Rodne moved the adoption of amendment (237).

On page 22, beginning on line 1, strike all of section 9

Re-number the remaining sections consecutively, correct any internal references accordingly, and correct the title.

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

Amendment (237) was adopted.

Representative Klippert moved the adoption of amendment (103).

On page 29, after line 11, insert the following:

"**Sec. 11.** RCW 46.20.308 and 2008 c 282 s 2 are each amended to read as follows:

(1) Any person who operates a motor vehicle within this state is deemed to have given consent, subject to the provisions of RCW 46.61.506, to a test or tests of his or her breath or blood for the

purpose of determining the alcohol concentration (~~((#))~~) and presence of any other drug in his or her breath or blood if arrested for any offense where, at the time of the arrest, the arresting officer has reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle while under the influence of intoxicating liquor or any drug or was in violation of RCW 46.61.503. Neither consent nor this section precludes a police officer from obtaining a search warrant for a person's breath or blood.

(2) The test or tests of breath shall be administered at the direction of a law enforcement officer having reasonable grounds to believe the person to have been driving or in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor or any drug or the person to have been driving or in actual physical control of a motor vehicle while having alcohol in a concentration in violation of RCW 46.61.503 in his or her system and being under the age of twenty-one. However, in those instances where the person is incapable due to physical injury, physical incapacity, or other physical limitation, of providing a breath sample or where the person is being treated in a hospital, clinic, doctor's office, emergency medical vehicle, ambulance, or other similar facility or where the officer has reasonable grounds to believe that the person is under the influence of a drug, a blood test shall be administered by a qualified person as provided in RCW 46.61.506(5) for the purpose of determining the alcohol concentration and presence of other drugs in the person's blood. The officer shall inform the person of his or her right to refuse the breath or blood test, and of his or her right to have additional tests administered by any qualified person of his or her choosing as provided in RCW 46.61.506. The officer shall warn the driver, in substantially the following language, that:

(a) If the driver refuses to take the test, the driver's license, permit, or privilege to drive will be revoked or denied for at least one year; and

(b) If the driver refuses to take the test, the driver's refusal to take the test may be used in a criminal trial; and

(c) If the driver submits to the test and the test is administered, the driver's license, permit, or privilege to drive will be suspended, revoked, or denied for at least ninety days if the driver is age twenty-one or over and the test indicates the alcohol concentration of the driver's breath or blood is 0.08 or more, or if the driver is under age twenty-one and the test indicates the alcohol concentration of the driver's breath or blood is 0.02 or more, or if the driver is under age twenty-one and the driver is in violation of RCW 46.61.502 or 46.61.504; and

(d) If the driver's license, permit, or privilege to drive is suspended, revoked, or denied the driver may be eligible to immediately apply for an ignition interlock driver's license.

(3) Except as provided in this section, the test administered shall be of the breath only. If an individual is unconscious or is under arrest for the crime of vehicular homicide as provided in RCW 46.61.520 or vehicular assault as provided in RCW 46.61.522, or if an individual is under arrest for the crime of driving while under the influence of intoxicating liquor or drugs as provided in RCW 46.61.502, which arrest results from an accident in which there has been serious bodily injury to another person, a breath or blood test may be administered without the consent of the individual so arrested. If a blood test is administered, the blood must be tested for both alcohol concentration and the presence of other drugs.

(4) Any person who is dead, unconscious, or who is otherwise in a condition rendering him or her incapable of refusal, shall be deemed not to have withdrawn the consent provided by subsection (1) of this section and the test or tests may be administered, subject to the provisions of RCW 46.61.506, and the person shall be deemed to have received the warnings required under subsection (2) of this section. If a blood test is administered, the blood must be tested for both alcohol concentration and the presence of other drugs.

(5) If, following his or her arrest and receipt of warnings under subsection (2) of this section, the person arrested refuses upon the request of a law enforcement officer to submit to a test or tests of his or her breath or blood, no test shall be given except as authorized under subsection (3) or (4) of this section.

(6) If, after arrest and after the other applicable conditions and requirements of this section have been satisfied, a test or tests of the person's blood or breath is administered and the test results indicate that the alcohol concentration of the person's breath or blood is 0.08 or more if the person is age twenty-one or over, or 0.02 or more if the person is under the age of twenty-one, or the person refuses to submit to a test, the arresting officer or other law enforcement officer at whose direction any test has been given, or the department, where applicable, if the arrest results in a test of the person's blood, shall:

(a) Serve notice in writing on the person on behalf of the department of its intention to suspend, revoke, or deny the person's license, permit, or privilege to drive as required by subsection (7) of this section;

(b) Serve notice in writing on the person on behalf of the department of his or her right to a hearing, specifying the steps he or she must take to obtain a hearing as provided by subsection (8) of this section and that the person waives the right to a hearing if he or she receives an ignition interlock driver's license;

(c) Mark the person's Washington state driver's license or permit to drive, if any, in a manner authorized by the department;

(d) Serve notice in writing that the marked license or permit, if any, is a temporary license that is valid for sixty days from the date of arrest or from the date notice has been given in the event notice is given by the department following a blood test, or until the suspension, revocation, or denial of the person's license, permit, or privilege to drive is sustained at a hearing pursuant to subsection (8) of this section, whichever occurs first. No temporary license is valid to any greater degree than the license or permit that it replaces; and

(e) Immediately notify the department of the arrest and transmit to the department within seventy-two hours, except as delayed as the result of a blood test, a sworn report or report under a declaration authorized by RCW 9A.72.085 that states:

(i) That the officer had reasonable grounds to believe the arrested person had been driving or was in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor or drugs, or both, or was under the age of twenty-one years and had been driving or was in actual physical control of a motor vehicle while having an alcohol concentration in violation of RCW 46.61.503;

(ii) That after receipt of the warnings required by subsection (2) of this section the person refused to submit to a test of his or her blood or breath, or a test was administered and the results indicated that the alcohol concentration of the person's breath or blood was 0.08 or more if the person is age twenty-one or over, or was 0.02 or more if the person is under the age of twenty-one; and

(iii) Any other information that the director may require by rule.

(7) The department of licensing, upon the receipt of a sworn report or report under a declaration authorized by RCW 9A.72.085 under subsection (6)(e) of this section, shall suspend, revoke, or deny the person's license, permit, or privilege to drive or any nonresident operating privilege, as provided in RCW 46.20.3101, such suspension, revocation, or denial to be effective beginning sixty days from the date of arrest or from the date notice has been given in the event notice is given by the department following a blood test, or when sustained at a hearing pursuant to subsection (8) of this section, whichever occurs first.

(8) A person receiving notification under subsection (6)(b) of this section may, within twenty days after the notice has been given, request in writing a formal hearing before the department. The person shall pay a fee of two hundred dollars as part of the request. If the request is mailed, it must be postmarked within twenty days after

receipt of the notification. Upon timely receipt of such a request for a formal hearing, including receipt of the required two hundred dollar fee, the department shall afford the person an opportunity for a hearing. The department may waive the required two hundred dollar fee if the person is an indigent as defined in RCW 10.101.010. Except as otherwise provided in this section, the hearing is subject to and shall be scheduled and conducted in accordance with RCW 46.20.329 and 46.20.332. The hearing shall be conducted in the county of the arrest, except that all or part of the hearing may, at the discretion of the department, be conducted by telephone or other electronic means. The hearing shall be held within sixty days following the arrest or following the date notice has been given in the event notice is given by the department following a blood test, unless otherwise agreed to by the department and the person, in which case the action by the department shall be stayed, and any valid temporary license marked under subsection (6)(c) of this section extended, if the person is otherwise eligible for licensing. For the purposes of this section, the scope of the hearing shall cover the issues of whether a law enforcement officer had reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor or any drug or had been driving or was in actual physical control of a motor vehicle within this state while having alcohol in his or her system in a concentration of 0.02 or more if the person was under the age of twenty-one, whether the person was placed under arrest, and (a) whether the person refused to submit to the test or tests upon request of the officer after having been informed that such refusal would result in the revocation of the person's license, permit, or privilege to drive, or (b) if a test or tests were administered, whether the applicable requirements of this section were satisfied before the administration of the test or tests, whether the person submitted to the test or tests, or whether a test was administered without express consent as permitted under this section, and whether the test or tests indicated that the alcohol concentration of the person's breath or blood was 0.08 or more if the person was age twenty-one or over at the time of the arrest, or 0.02 or more if the person was under the age of twenty-one at the time of the arrest. The sworn report or report under a declaration authorized by RCW 9A.72.085 submitted by a law enforcement officer is prima facie evidence that the officer had reasonable grounds to believe the person had been driving or was in actual physical control of a motor vehicle within this state while under the influence of intoxicating liquor or drugs, or both, or the person had been driving or was in actual physical control of a motor vehicle within this state while having alcohol in his or her system in a concentration of 0.02 or more and was under the age of twenty-one and that the officer complied with the requirements of this section.

A hearing officer shall conduct the hearing, may issue subpoenas for the attendance of witnesses and the production of documents, and shall administer oaths to witnesses. The hearing officer shall not issue a subpoena for the attendance of a witness at the request of the person unless the request is accompanied by the fee required by RCW 5.56.010 for a witness in district court. The sworn report or report under a declaration authorized by RCW 9A.72.085 of the law enforcement officer and any other evidence accompanying the report shall be admissible without further evidentiary foundation and the certifications authorized by the criminal rules for courts of limited jurisdiction shall be admissible without further evidentiary foundation. The person may be represented by counsel, may question witnesses, may present evidence, and may testify. The department shall order that the suspension, revocation, or denial either be rescinded or sustained.

(9) If the suspension, revocation, or denial is sustained after such a hearing, the person whose license, privilege, or permit is suspended, revoked, or denied has the right to file a petition in the superior court of the county of arrest to review the final order of revocation by the department in the same manner as an appeal from a decision of a

court of limited jurisdiction. Notice of appeal must be filed within thirty days after the date the final order is served or the right to appeal is waived. Notwithstanding RCW 46.20.334, RALJ 1.1, or other statutes or rules referencing de novo review, the appeal shall be limited to a review of the record of the administrative hearing. The appellant must pay the costs associated with obtaining the record of the hearing before the hearing officer. The filing of the appeal does not stay the effective date of the suspension, revocation, or denial. A petition filed under this subsection must include the petitioner's grounds for requesting review. Upon granting petitioner's request for review, the court shall review the department's final order of suspension, revocation, or denial as expeditiously as possible. The review must be limited to a determination of whether the department has committed any errors of law. The superior court shall accept those factual determinations supported by substantial evidence in the record: (a) That were expressly made by the department; or (b) that may reasonably be inferred from the final order of the department. The superior court may reverse, affirm, or modify the decision of the department or remand the case back to the department for further proceedings. The decision of the superior court must be in writing and filed in the clerk's office with the other papers in the case. The court shall state the reasons for the decision. If judicial relief is sought for a stay or other temporary remedy from the department's action, the court shall not grant such relief unless the court finds that the appellant is likely to prevail in the appeal and that without a stay the appellant will suffer irreparable injury. If the court stays the suspension, revocation, or denial it may impose conditions on such stay.

(10)(a) If a person whose driver's license, permit, or privilege to drive has been or will be suspended, revoked, or denied under subsection (7) of this section, other than as a result of a breath or blood test refusal, and who has not committed an offense for which he or she was granted a deferred prosecution under chapter 10.05 RCW, petitions a court for a deferred prosecution on criminal charges arising out of the arrest for which action has been or will be taken under subsection (7) of this section, or notifies the department of licensing of the intent to seek such a deferred prosecution, then the license suspension or revocation shall be stayed pending entry of the deferred prosecution. The stay shall not be longer than one hundred fifty days after the date charges are filed, or two years after the date of the arrest, whichever time period is shorter. If the court stays the suspension, revocation, or denial, it may impose conditions on such stay. If the person is otherwise eligible for licensing, the department shall issue a temporary license, or extend any valid temporary license marked under subsection (6) of this section, for the period of the stay. If a deferred prosecution treatment plan is not recommended in the report made under RCW 10.05.050, or if treatment is rejected by the court, or if the person declines to accept an offered treatment plan, or if the person violates any condition imposed by the court, then the court shall immediately direct the department to cancel the stay and any temporary marked license or extension of a temporary license issued under this subsection.

(b) A suspension, revocation, or denial imposed under this section, other than as a result of a breath or blood test refusal, shall be stayed if the person is accepted for deferred prosecution as provided in chapter 10.05 RCW for the incident upon which the suspension, revocation, or denial is based. If the deferred prosecution is terminated, the stay shall be lifted and the suspension, revocation, or denial reinstated. If the deferred prosecution is completed, the stay shall be lifted and the suspension, revocation, or denial canceled.

(c) The provisions of (b) of this subsection relating to a stay of a suspension, revocation, or denial and the cancellation of any suspension, revocation, or denial do not apply to the suspension, revocation, denial, or disqualification of a person's commercial driver's license or privilege to operate a commercial motor vehicle.

(11) When it has been finally determined under the procedures of this section that a nonresident's privilege to operate a motor vehicle in this state has been suspended, revoked, or denied, the department shall give information in writing of the action taken to the motor vehicle administrator of the state of the person's residence and of any state in which he or she has a license."

Correct the title.

Representatives Klippert, Armstrong and Kristiansen spoke in favor of the adoption of the amendment.

Representative Goodman spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 42 - YEAS; 54 - NAYS.

Amendment (103) 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 Goodman, Rodne, Dammeier, Klippert and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1789.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1789, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representatives Ahern and Eddy.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1789, having received the necessary constitutional majority, was declared passed.

### STATEMENT FOR THE JOURNAL

I intended to vote YEA on Engrossed Second Substitute House Bill No. 1789.

Representative Ahern, 6th District

### SECOND READING

**HOUSE BILL NO. 1689, by Representative Hurst**

**Allowing booking photographs and electronic images at jails to be open to the public. Revised for 1st Substitute: Allowing booking photographs at jails to be open to the public after charges have been filed.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1689 was substituted for House Bill No. 1689 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1689 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 Hurst, Pearson and Klippert spoke in favor of the passage of the bill.

Representative Appleton spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1689.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 1689, and the bill passed the House by the following vote: Yeas, 77; Nays, 19; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Armstrong, Asay, Bailey, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Dunshee, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Haigh, Haler, Hargrove, Harris, Hinkle, Hope, Hunter, Hurst, Jinkins, Johnson, Kelley, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Orwall, Overstreet, Parker, Pearson, Pettigrew, Probst, Rivers, Rodne, Ross, Ryu, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Billig, Darneille, Dickerson, Green, Hasegawa, Hudgins, Hunt, Jacks, Kagi, Kenney, Liias, Ormsby, Pedersen, Reykdal, Roberts, Rolfes, Santos and Tharinger.

Excused: Representatives Ahern and Eddy.

SUBSTITUTE HOUSE BILL NO. 1689, having received the necessary constitutional majority, was declared passed.

**STATEMENT FOR THE JOURNAL**

I intended to vote YEA on Substitute House Bill No. 1689.

Representative Ahern, 6yh District

**SECOND READING****HOUSE BILL NO. 1494, by Representative Moeller****Concerning elder placement referrals. Revised for 1st Substitute: Concerning vulnerable adult referral agencies.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1494 was substituted for House Bill No. 1494 and the substitute bill was placed on the second reading calendar.

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

With the consent of the house, amendment (398) to amendment (244) was withdrawn.

Representative Moeller moved the adoption of amendment (244).

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature finds that locating acceptable housing and appropriate care for vulnerable adults is an important aspect of providing an appropriate continuity of care for senior citizens.

(2) The legislature further finds that locating appropriate and quality housing alternatives sometimes depends on elder and vulnerable adult referral agencies attempting to assist with referral.

(3) The legislature further finds that vulnerable adult referral professionals should be required to meet certain minimum requirements to promote better integration of vulnerable adult housing choices.

(4) The legislature further finds that the requirement that elder and vulnerable adult referral agencies meet minimum standards of conduct is in the interest of public health, safety, and welfare.

**NEW SECTION. Sec. 2.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Care services" means any combination of services, including in-home care, private duty care, or private duty nursing designed for or with the goal of allowing vulnerable adults to receive care and related services at home or in a home-like setting. Care service providers must include home health agencies and in-home service agencies licensed under chapter 70.127 RCW.

(2) "Client" means an elder person or a vulnerable adult, and his or her representative if any, seeking a referral or assistance with entering into an arrangement for supportive housing or care services through an elder and vulnerable adult referral agency. For purposes of this chapter, the "client's representative" means the person authorized under RCW 7.70.065 or other laws to provide informed consent for an individual unable to do so.

(3) "Elder and vulnerable adult referral agency" or "agency" means a business or person who receives a fee from or on behalf of a vulnerable adult seeking a referral to care services or supportive housing, or who receives a fee from a care services provider or supportive housing provider because of any referral provided to or on behalf of a vulnerable adult. "Elder and vulnerable adult referral agency" or "agency" includes government agencies that provide referrals to care services or supportive housing and geriatric case and care managers that receive a fee from a client to whom they have provided a referral.

(4) "Fee" means anything of value. "Fee" includes money or other valuable consideration or services or the promise of money or other valuable consideration or services, received directly or indirectly by an elder and vulnerable adult referral agency.

(5) "Information" means the provision of general information by an agency to a person about the types of supportive housing or care services available in the area that may meet the needs of elderly or

vulnerable adults without giving the person the names of specific providers of care services or supportive housing, or giving a provider the name of the person or vulnerable adult. Information also means the provision by an agency of the names of specific providers to a social worker, discharge planner, case manager, professional guardian, nurse, or other professional who is assisting a vulnerable adult locate supportive housing or care services, where the agency does not request or receive any fee.

(6) "Person" includes any individual, firm, corporation, partnership, association, company, society, manager, contractor, subcontractor, bureau, agency, organization, service, office, or an agent or any of their employees.

(7) "Provider" means any entity or person that both provides supportive housing or care services to a vulnerable adult for a fee and provides or is required to provide such housing or services under a state or local business license specific to such housing or services.

(8) "Referral" means the act of an agency giving a client the name or names of specific providers of care services or supportive housing that may meet the needs of the vulnerable adult identified in the intake form described in section 7 of this act, or the agency gives a provider the name of a client for the purposes of enabling the provider to contact the client regarding care services or supportive housing provided by that provider.

(9) "Supportive housing" means any type of housing that includes services for care needs and is designed for prospective residents who are vulnerable adults. Supportive housing includes, but is not limited to, nursing homes licensed under chapter 18.51 RCW, boarding homes licensed under chapter 18.20 RCW, adult family homes licensed under chapter 70.128 RCW, and continuing care retirement communities under RCW 70.38.025.

(10) "Vulnerable adult" has the same meaning as in RCW 74.34.020.

**NEW SECTION. Sec. 3.** (1) As of January 1, 2012, a business or person may not operate or maintain an agency in this state without complying with the provisions of this chapter. An agency must maintain liability insurance to cover the acts and services of the agency. The combined single limit liability insurance coverage required is one million dollars.

(2) The agency may not create an exclusive agreement between the agency and the client, or between the agency and a provider. The agency cannot provide referral services to a client where the only names given to the client are of providers in which the agency or its personnel or immediate family members have an ownership interest in those providers. An agreement entered into between an agency and a provider must allow either the provider or the agency to cancel the agreement with specific payment terms regarding pending fees or commissions outlined in the agreement.

(3) The marketing materials, informational brochures, and web sites owned or operated by an agency, and concerning information or referral services for elderly or vulnerable adults, must include a clear identification of the agency.

(4) All owners, operators, and employees of an agency shall be considered mandated reporters under the vulnerable adults act, chapter 74.34 RCW. No agency may develop or enforce any policies or procedures that interfere with the reporting requirements of chapter 74.34 RCW.

**NEW SECTION. Sec. 4.** Nothing in this chapter may be construed to prohibit, restrict, or apply to:

(1) Any home health or hospice agency while providing counseling to patients on placement options in the normal course of practice as long as no fee or other compensation is provided to the home health or hospice agency for such counseling;

(2) Government entities providing information and assistance to vulnerable adults unless making a referral in which a fee is received from a client;

(3) Professional guardians providing services under authority of their guardianship appointment;

(4) Supportive housing or care services providers who make referrals to other supportive housing or care services providers where no monetary value is exchanged;

(5) Social workers, discharge planners, or other social services staff assisting a vulnerable adult to define supportive housing or care services providers in the course of their employment responsibilities if they do not receive any monetary value from a provider; or

(6) Any person to the extent that he or she provides information to another person.

**NEW SECTION. Sec. 5.** (1) Each agency shall keep records of all referrals rendered to or on behalf of clients. These records must contain:

(a) The name of the vulnerable adult, and the address and phone number of the client or the client's representative, if any;

(b) The kind of supportive housing or care services for which referral was sought;

(c) The location of the care services or supportive housing referred to the client and probable duration, if known;

(d) The monthly or unit cost of the supportive housing or care services, if known;

(e) If applicable, the amount of the agency's fee to the client or to the provider;

(f) If applicable, the dates and amounts of refund of the agency's fee, if any, and reason for such refund; and

(g) A copy of the client's disclosure and intake forms described in sections 6 and 7 of this act.

(2) Each agency shall also keep records of any contract or written agreement entered into with any provider for services rendered to or on behalf of a vulnerable adult, including any referrals to a provider. Any provision in a contract or written agreement not consistent with this chapter is void and unenforceable.

(3) The agency must maintain the records covered by this chapter for a period of six years. The agency's records identifying a client are considered "health care information" and the provisions of chapter 70.02 RCW apply. The client must have access upon request to the agency's records concerning the client and covered by this chapter.

**NEW SECTION. Sec. 6.** (1) An agency must provide a disclosure statement to each client prior to making a referral. A disclosure statement is not required when the agency is only providing information to a person. The disclosure statement must be acknowledged by the client prior to the referral and the agency shall retain a copy of the disclosure statement and acknowledgment. Acknowledgment may be in the form of:

(a) A signature of the client or legal representative on the exact disclosure statement;

(b) An electronic signature that includes the date, time, internet provider address, and displaying the exact disclosure statement document;

(c) A faxed confirmation that includes the date, time, and fax number and displaying the exact disclosure statement document; or

(d) In instances where a vulnerable adult chooses not to sign or otherwise provide acknowledgment of the disclosure statement, the referral professional or agency may satisfy the acknowledgment requirement of this subsection (1) by documenting the client's refusal to sign.

(2) The disclosure statement must be dated and must contain the following information:

(a) The name, address, and telephone number of the agency;

(b) The name of the client;

(c) The amount of the fee to be received from the client, if any. Alternatively, if the fee is to be received from the provider, the method of computation of the fee and the time and method of payment. In addition, the agency shall disclose to the client the

amount of fee to be received from the provider, if the client requests such information;

(d) A clear description of the services provided by the agency in general, and to be provided specifically for the client;

(e) A clear description of the services not provided by the agency;

(f) A provision stating that the agency may not require or request clients to sign waivers of potential liability for losses of personal property or injury, or to sign waivers of any rights of the client established in state or federal law;

(g) A provision stating that the agency works with both the client and the care services or supportive housing provider in the same transaction, and an explanation that the agency will need the client's authorization to obtain or disclose confidential health care information;

(h) A listing of the qualifications of the agency personnel who will be working with the client, including their years of experience in the fields of supportive housing and care services, their experience working with vulnerable adults, and their education level and relevant certifications or licenses, if any, or alternatively, a statement informing the client how to obtain such information from the agency;

(i) A provision stating that the client is not required to use the services of the agency and may, without cause, stop using the agency or switch to another agency without penalty or cancellation fee to the client;

(j) An explanation of the agency's refund of fees policy, which must be consistent with section 9 of this act;

(k) A statement that the client may file a complaint with the attorney general's office for violations of this chapter, including the name, address, and telephone number of the consumer protection division of that office; and

(l) If the agency or its personnel who are directly involved in providing referrals to clients, including the personnel's immediate family members, have an ownership interest in the supportive housing or care services to which the client is given a referral, a provision stating that the agency or such personnel or their immediate family members have an ownership interest in the supportive housing or care services to which the client is given referral services, and, if such ownership interest exists, an explanation of that interest.

**NEW SECTION. Sec. 7.** (1) The agency shall use a standardized intake form for all clients prior to making a referral. The intake form must, at a minimum, contain the following data regarding the vulnerable adult:

(a) Recent medical history, as relevant to the referral process;

(b) Known medications and medication management needs;

(c) Known medical diagnoses, health concerns, and the reasons the client is seeking supportive housing or care services;

(d) Significant known behaviors or symptoms that may cause concern or require special care;

(e) Mental illness, dementia, or developmental disability diagnosis, if any;

(f) Assistance needed for daily living;

(g) Particular culture needs and accommodations;

(h) Activity preferences;

(i) Sleeping habits of the vulnerable adult, if known;

(j) Basic information about the financial situation of the vulnerable adult and the availability of any long-term care insurance or financial assistance, including medicaid, which may be helpful in defining supportive housing and care services options for the vulnerable adult;

(k) Current living situation of the client;

(l) Geographic location preferences; and

(m) Preferences regarding other issues important to the client, such as food and daily routine.

(2) The agency shall obtain the intake information from the most available sources, such as from the client, the client's representative, or a health care professional, and shall allow the vulnerable adult to

participate to the maximum extent possible. The agency may not obtain or disclose health care information, as defined in RCW 70.02.010, without the authorization of the client or the client's representative.

(3) The agency may provide information to a person about the types of supportive housing or care services available in the area that may meet the needs of elderly or vulnerable adults without the need to complete an intake form or provide a disclosure statement, if the agency does not make a referral or request or receive any fee. In addition, the agency may provide the names of specific providers to a social worker, discharge planner, case manager, professional guardian, nurse, or other professional who is assisting a vulnerable adult locate supportive housing or care services, provided the agency does not request or receive any fee.

**NEW SECTION. Sec. 8.** (1) The agency may choose to provide a referral for the client by either giving the client the name or names of specific providers who may meet the needs of the vulnerable adult identified in the intake form or by giving a provider or providers the name of the client after obtaining the authorization of the client or the client's representative.

(2)(a) Prior to making a referral to a specific provider, the agency shall speak with a representative of the provider and obtain, at a minimum, the following general information, which must be dated and retained in the agency's records:

(i) The type of license held by the provider and license number;

(ii) Whether the provider is authorized by license to provide care to individuals with a mental illness, dementia, or developmental disability;

(iii) Sources of payment accepted, including whether medicaid is accepted;

(iv) General level of medication management services provided;

(v) General level and types of personal care services provided;

(vi) Particular cultural needs that may be accommodated;

(vii) Activities typically provided;

(viii) Behavioral problems or symptoms that can or cannot be met;

(ix) Food preferences and special diets that can be accommodated; and

(x) Other special care or services available.

(b) The agency shall update this information regarding the provider at least annually. Referrals made by the agency shall be to providers who appear able to meet the vulnerable adult's identified needs.

(3) Prior to making a referral of a supportive housing provider, the agency shall conduct a search, and inform the client that a search was conducted, of the department of social and health service's web site to see if the provider is in enforcement status for violation of its licensing regulations. Prior to making a referral of a care services provider, the agency shall conduct a search, and inform the client that a search was conducted, of the department of health's web site to determine if the provider is in enforcement status for violation of its licensing regulations. The searches required by this subsection must be considered timely if done within thirty days before the referral. The information obtained by the agency from the searches must be disclosed in writing to the client if the referral includes that provider.

**NEW SECTION. Sec. 9.** (1) The agency shall clearly disclose its fees and refund policies to clients and providers. If the agency receives a fee regarding a client who was provided referral services for supportive housing, and the vulnerable adult dies, is hospitalized, or is transferred to another supportive housing setting for more appropriate care within the first thirty days of admission, then the agency shall refund a portion of its fee to the person who paid it, whether that is the client or the supportive housing provider. The amount refunded must be a prorated portion of the agency's fees, based upon a per diem calculation for the days that the client resided or retained a bed in the supportive housing.

(2) A refund policy inconsistent with this section is void and unenforceable.

(3) This section does not limit the application of other remedies, including the consumer protection act, chapter 19.86 RCW.

**NEW SECTION. Sec. 10.** Any employee, owner, or operator of an agency that works with vulnerable adults must pass a criminal background check every twenty-four months and not have been convicted of any crime that is disqualifying under RCW 43.43.830 or 43.43.842, or been found by a court of law or disciplinary authority to have abused, neglected, financially exploited, or abandoned a minor or vulnerable adult.

**NEW SECTION. Sec. 11.** An agency may not charge or accept a fee or other consideration from a client, care services provider, or supportive housing provider unless the agency substantially complies with the terms of this chapter.

**NEW SECTION. Sec. 12.** (1) The provisions of this chapter relating to the regulation of private elder and vulnerable adult referral agencies are exclusive.

(2) This chapter may not be construed to affect or reduce the authority of any political subdivision of the state of Washington to provide for the licensing of private elder and vulnerable adult referral agencies solely for revenue purposes.

**NEW SECTION. Sec. 13.** In accordance with RCW 74.09.240, the agency may not solicit or receive any remuneration directly or indirectly, overtly or covertly, in cash or in kind, in return for referring an individual to a person for the furnishing or arranging for the furnishing of any item or service for which payment may be made in whole or in part under chapter 74.09 RCW.

**NEW SECTION. Sec. 14.** The legislature finds that the operation of an agency in violation of this chapter is a matter vitally affecting the public interest for the purpose of applying the consumer protection act, chapter 19.86 RCW. Such a violation is an unfair or deceptive act in trade or commerce and an unfair method of competition for the purpose of applying the consumer protection act, chapter 19.86 RCW.

**NEW SECTION. Sec. 15.** Nothing in this chapter is intended to make an agency liable for the acts or omissions of a provider.

**NEW SECTION. Sec. 16.** This chapter may be known and cited as the "elder and vulnerable adult referral agency act."

**NEW SECTION. Sec. 17.** Sections 1 through 16 of this act constitute a new chapter in Title 18 RCW.

**NEW SECTION. Sec. 18.** This act takes effect January 1, 2012.

**NEW SECTION. Sec. 19.** 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.

Representative Hinkle moved the adoption of amendment (396) to amendment (244).

On page 1, at the beginning of line 27 of the striking amendment, insert "in Washington state"

On page 3, beginning on line 14 of the striking amendment, after "person" strike all material through "with" on line 15 and insert "operating or maintaining an agency in this state is subject to"

On page 10, beginning on line 16 of the striking amendment, strike all of section 14

Renummer the remaining subsections consecutively and correct any internal references accordingly. Correct the title.

Representatives Hinkle and Schmick spoke in favor of the adoption of the amendment to the amendment.

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

Amendment (396) was not adopted.

Representative Carlyle moved the adoption of amendment (330) to amendment (244).

On page 1, at the beginning of line 27 of the striking amendment, insert "in Washington state"

On page 3, beginning on line 14 of the striking amendment, after "person" strike all material through "with" on line 15 and insert "operating or maintaining an agency in this state is subject to"

On page 10, line 21 of the striking amendment, after "RCW." insert "An agency that is in substantial compliance with the provisions of this chapter shall not be considered to have operated in violation of this chapter."

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

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

Amendment (330) was adopted.

Representative Moeller spoke in favor of adoption of amendment (244).

Representative Schmick spoke against the adoption of amendment (244).

Amendment (244) 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.

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

Representatives Schmick, Hinkle, Armstrong and Bailey spoke against the passage of the bill.

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

## ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1494, and the bill passed the House by the following vote: Yeas, 53; Nays, 43; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Finn, Fitzgibbon, Frockt, Green, Haigh, Hasegawa, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Ryu, Santos, Seaquist, Sells, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Goodman, Haler, Hargrove, Harris, Hinkle, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Rodne, Rolfes,



Ross, Schmick, Shea, Short, Smith, Springer, Taylor, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Ahern and Eddy.

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

### STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed Substitute House Bill No. 1494.

Representative Ahern, 6th District

### SECOND READING

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

**HOUSE BILL NO. 1846, by Representatives Eddy, Smith, Morris, Probst, Sells, Springer, Warnick, Liias, Stanford and Maxwell**

#### Creating the aerospace training student loan program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1846 was substituted for House Bill No. 1846 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1846 was read the second time.

With the consent of the house, amendments (395), (319), (428), (394), and (427) to amendment (392) were withdrawn.

Representative Kenney moved the adoption of amendment (392).

Strike everything after the enacting clause and insert the following:

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

(1) "Aerospace training or educational program" means a course in the aerospace industry offered either by the Washington aerospace training and research center or the Spokane aerospace technology center.

(2) "Board" means the higher education coordinating board.

(3) "Eligible student" means a student who is registered for an aerospace training or educational program, is making satisfactory progress as defined by the program, and has a declared intention to work in the aerospace industry in the state of Washington.

(4) "Participant" means an eligible student who has received an aerospace training student loan.

(5) "Student loan" means a loan that is approved by the board and awarded to an eligible student.

**NEW SECTION. Sec. 2.** (1) The aerospace training student loan program is established.

(2) The program shall be designed in consultation with representatives of aerospace employers, aerospace workers, and aerospace training or educational programs.

(3) The program shall be administered by the board. In administering the program, the board has the following powers and duties:

(a) To screen and select, in coordination with representatives of aerospace training or educational programs, eligible students to receive an aerospace training student loan;

(b) To consider an eligible student's financial inability to meet the total cost of the aerospace training or educational program in the selection process;

(c) To issue low-interest student loans;

(d) To establish an annual loan limit equal to the cost of attendance minus any other financial aid received;

(e) To define the terms of repayment, including applicable interest rates, fees, and deferments;

(f) To collect and manage repayments from students who do not meet their obligations under this chapter;

(g) To solicit and accept grants and donations from public and private sources for the program; and

(h) To adopt necessary rules.

**NEW SECTION. Sec. 3.** To remain an eligible student and receive continuing disbursements under the program, a participant must be considered by the aerospace training or educational program to be making satisfactory progress.

**NEW SECTION. Sec. 4.** The board may award aerospace training student loans to eligible students from the funds available in the aerospace training student loan account for this program. The amount of the student loan awarded an individual may not exceed tuition and fees for the program of study.

**NEW SECTION. Sec. 5.** (1) The aerospace training student loan account is created in the custody of the state treasurer. No appropriation is required for expenditures of funds from the account for student loans. An appropriation is required for expenditures of funds from the account for costs associated with program administration by the board. The account is not subject to allotment procedures under chapter 43.88 RCW.

(2) The board shall deposit into the account all moneys received for the program. The account shall be self-sustaining and consist of moneys received for the program by the board, and receipts from participant repayments, including principal and interest.

(3) Expenditures from the account may be used solely for student loans to participants in the program established by this chapter and costs associated with program administration by the board.

(4) Disbursements from the account may be made only on the authorization of the board.

**NEW SECTION. Sec. 6.** The board, in collaboration with aerospace training or educational programs, shall submit an annual report regarding the aerospace training student loan program to the governor and to the appropriate committees of the legislature.

(2) The annual report shall describe the design and implementation of the aerospace training student loan program, and shall include the following:

(a) The number of applicants for loans;

(b) The number of participants in the loan program;

(c) The number of participants in the loan program who complete an aerospace training or educational program;

(d) The number of participants in the loan program who are placed in employment;

(e) The nature of that employment, including: (i) The type of job; (ii) whether the job is full-time, part-time, or temporary; (iii) whether the job pays annual wages that are: (A) Less than thirty thousand dollars; (B) thirty thousand dollars or greater, but less than sixty thousand dollars; or (C) sixty thousand dollars or more; and

(f) Demographic profiles of applicants for loans and participants in the loan programs.

(3) The annual report shall be submitted by December 1st of each year after the effective date of this section.

**NEW SECTION. Sec. 7.** Sections 1 through 6 of this act constitute a new chapter in Title 28B RCW."

Correct the title.

Representative Van De Wege moved the adoption of amendment (438) to amendment (392).

On page 2, line 18 of the amendment, after "**Sec. 3.**" insert "(1) To remain an aerospace training or educational program in which a participant may be registered, the program must have an advisory committee that includes at least one member representing aerospace employers and at least one member from organized labor representing aerospace workers.

(2)"

Representatives Van De Wege and Kenney spoke in favor of the adoption of the amendment.

Representative Condotta spoke against the adoption of the amendment.

Amendment (438) was adopted.

Representatives Kenney and Smith spoke in favor of the adoption of amendment (392).

Amendment (392) 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.

Representatives Liias, Dunshee, Smith and Parker 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. 1846.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1846, and the bill passed the House by the following vote: Yeas, 80; Nays, 16; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Armstrong, Asay, Bailey, Billig, Blake, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Dickerson, Dunshee, Fagan, Finn, Fitzgibbon, Frockt, Green, Haigh, Haler, Hargrove, Harris, Hinkle, Hope, Hudgins, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Moeller, Morris, Moscoso, Nealey, Orcutt, Orwall, Parker, Pearson, Pettigrew, Probst, Rivers, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Angel, Appleton, Buys, Darneille, Goodman, Hasegawa, Hunt, Kirby, Miloscia, Ormsby, Overstreet, Pedersen, Reykdal, Roberts, Ryu and Taylor.

Excused: Representatives Ahern and Eddy.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1846, having received the necessary constitutional majority, was declared passed.

### STATEMENT FOR THE JOURNAL

I intended to vote YEA on Engrossed Substitute House Bill No. 1846.

Representative Ahern, 6th District

### SECOND READING

**HOUSE BILL NO. 1546, by Representatives Hargrove, Hunt, Dammeier, Pettigrew, Liias, Smith, Anderson, Fagan, Kretz, Dahlquist, Angel, Zeiger, Jinkins and Finn**

**Authorizing creation of innovation schools and innovation zones in school districts.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1546 was substituted for House Bill No. 1546 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1546 was read the second time.

Representative Hargrove moved the adoption of amendment (429).

On page 4, beginning on line 19, strike all of subsection (3)

On page 4, beginning on line 36, strike all of subsection (ii) Renumber the remaining subsections consecutively.

On page 7, beginning on line 9, strike all of section 9

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

Correct the title.

Representatives Hargrove and Hunt spoke in favor of the adoption of the amendment.

Amendment (429) 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 Hargrove, Hunt, Armstrong, Dammeier, Anderson, Santos and Sullivan 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. 1546.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1546, and the bill passed the House by the following vote: Yeas, 94; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert,

Kretz, Kristiansen, Ladenburg, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Liias and Van De Wege.

Excused: Representatives Ahern and Eddy.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1546, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote YEA on Engrossed Second Substitute House Bill No. 1546.

Representative Ahern, 6th District

#### POINT OF PERSONAL PRIVILEGE

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

#### SECOND READING

**HOUSE BILL NO. 2011, by Representatives Sells, Pearson and Reykdal**

**Enhancing the safety of employees working for the department of corrections through collective bargaining and binding interest arbitration.**

The bill was read the second time.

With the consent of the house, amendments (442), (443) and (439) were withdrawn.

Representative Sullivan moved the adoption of amendment (440).

On page 3, beginning on line 16, after "safety;" strike "and (ii)" and insert "(ii) excludes matters pertaining to management rights established in RCW 41.80.040, such as the employer's budget, the size of the agency workforce, and the right to direct and supervise employees; and (iii)"

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

Amendment (440) was adopted.

Representative Hunter moved the adoption of amendment (444).

On page 5, line 27, after "(a)" insert "The financial ability of the department to pay for the provisions of a collective bargaining agreement;

(b)"

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

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

Amendment (444) 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 Sells spoke in favor of the passage of the bill.

Representative Alexander 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 House Bill No. 2011.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2011, and the bill passed the House by the following vote: Yeas, 59; Nays, 36; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Billig, Blake, Cody, Darneille, Dickerson, Dunshee, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Harris, Hasegawa, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kirby, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Rolfes, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Walsh and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Asay, Bailey, Buys, Carlyle, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Hinkle, Jinkins, Johnson, Klippert, Kretz, McCune, Overstreet, Parker, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Warnick, Wilcox and Zeiger.

Excused: Representatives Ahern, Clibborn and Eddy.

ENGROSSED HOUSE BILL NO. 2011, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed House Bill No. 2011.

Representative Ahern, 6th District

#### SECOND READING

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

With the consent of the House, the following bills listed on the day's floor calendar were referred to the Committee on Rules.

HOUSE BILL NO. 1079  
HOUSE BILL NO. 1441  
HOUSE BILL NO. 1535  
HOUSE BILL NO. 1732  
HOUSE BILL NO. 1164  
HOUSE BILL NO. 1314  
HOUSE BILL NO. 1173  
HOUSE BILL NO. 1601  
HOUSE BILL NO. 1632  
HOUSE BILL NO. 1080  
HOUSE BILL NO. 1279

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HOUSE BILL NO. 1338  
HOUSE BILL NO. 1760  
HOUSE BILL NO. 1017  
HOUSE BILL NO. 1101  
HOUSE BILL NO. 1322  
HOUSE BILL NO. 1448  
HOUSE BILL NO. 1627  
HOUSE BILL NO. 1685  
HOUSE BILL NO. 1695  
HOUSE BILL NO. 1773  
HOUSE BILL NO. 1837  
HOUSE BILL NO. 1979  
HOUSE BILL NO. 1986  
HOUSE BILL NO. 1284  
HOUSE BILL NO. 1287  
HOUSE BILL NO. 1289  
HOUSE BILL NO. 1326  
HOUSE BILL NO. 1366  
HOUSE BILL NO. 1386  
HOUSE BILL NO. 1781  
HOUSE BILL NO. 1915

There being no objection, the House adjourned until 9:55 a.m.,  
March 8, 2011, the 58th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

1017	Other Action.....	19
1021	Second Reading.....	4
	Third Reading Final Passage.....	4
1053	Second Reading.....	9
1053-S	Second Reading.....	9
	Third Reading Final Passage.....	9
1079	Other Action.....	18
1080	Other Action.....	19
1101	Other Action.....	19
1164	Other Action.....	19
1166	Second Reading.....	4
	Third Reading Final Passage.....	4
1173	Other Action.....	19
1223	Second Reading.....	6
	Amendment Offered.....	6
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1279	Other Action.....	19
1284	Other Action.....	19
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1289	Other Action.....	19
1314	Other Action.....	19
1322	Other Action.....	19
1326	Other Action.....	19
1338	Other Action.....	19
1357	Second Reading.....	7
	Amendment Offered.....	7
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1366	Other Action.....	19
1367	Second Reading.....	5
1367-S	Second Reading.....	5
	Amendment Offered.....	5
	Third Reading Final Passage.....	5
1386	Other Action.....	19
1441	Other Action.....	18
1448	Other Action.....	19
1494	Second Reading.....	12
1494-S	Second Reading.....	13

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Other Action.....	18
1546	
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1546-S2	
Second Reading.....	17
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Other Action.....	19
1606-S	
Other Action.....	18
1625	
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1627	
Other Action.....	19
1632	
Other Action.....	19
1663	
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1663-S	
Second Reading.....	3
Third Reading Final Passage .....	4
1685	
Other Action.....	19
1689	
Second Reading.....	12
1689-S	
Second Reading.....	12
Third Reading Final Passage .....	12
1695	
Other Action.....	19
1732	
Other Action.....	19
1760	
Other Action.....	19
1773	
Other Action.....	19
1781	
Other Action.....	19
1789	
Second Reading.....	9
1789-S2	
Second Reading.....	10
Amendment Offered.....	10
Third Reading Final Passage .....	12
1826	
Second Reading.....	6
1826-S	
Second Reading.....	6
Amendment Offered.....	6
Third Reading Final Passage .....	6
1837	
Other Action.....	19
1846	
Second Reading.....	16
1846-S	
Second Reading.....	16
Amendment Offered.....	16
Third Reading Final Passage .....	17
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Second Reading.....	8
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Second Reading.....	8
Third Reading Final Passage.....	8
1915	
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5124-S	
Introduction & 1st Reading.....	1
5143	
Introduction & 1st Reading.....	1
5171-S	
Introduction & 1st Reading.....	2
5186-S	
Introduction & 1st Reading.....	2
5241	
Introduction & 1st Reading.....	2
5264-S	
Messages.....	9
5298-S	
Introduction & 1st Reading.....	2
5343-S	
Introduction & 1st Reading.....	2
5356-S	
Messages.....	9
5359-S	
Introduction & 1st Reading.....	2
5367	
Messages.....	9
5374-S	
Introduction & 1st Reading.....	2
5395	
Messages.....	9
5442-S	
Messages.....	9
5463	
Introduction & 1st Reading.....	2
5482	
Messages.....	9
5487-S	
Messages.....	9
5492	
Introduction & 1st Reading.....	2
5497	
Messages.....	9
5501	
Introduction & 1st Reading.....	2
5516	
Messages.....	1
5519-S	
Messages.....	9
5525-S	
Introduction & 1st Reading.....	2
5540	
Other Action.....	9
5540-S	

Introduction & 1st Reading .....	2
5553-S	
Messages .....	9
5555-S	
Introduction & 1st Reading .....	3
5566	
Messages .....	1
5590-S	
Introduction & 1st Reading .....	3
5638	
Introduction & 1st Reading .....	3
5647	
Messages .....	1
5676-S	
Messages .....	9
5688-S	
Messages .....	9
5730	
Introduction & 1st Reading .....	3
5748-S	
Introduction & 1st Reading .....	3
5749-S	
Introduction & 1st Reading .....	3
5769-S2	
Messages .....	1
5788-S	
Messages .....	9
5800-S	
Introduction & 1st Reading .....	3
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