
THIRTY FIRST DAY

House Chamber, Olympia, Wednesday, February 8, 2012

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 Brandon Grady and Probjot Virk. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Norma Hissong, Baha'i Spiritual Assembly Olympia, Washington.

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

INTRODUCTIONS AND FIRST READING

HB 2775 by Representatives Liias, Armstrong, Clibborn and Wylie

AN ACT Relating to the periodic replacement of license plates; amending RCW 46.16A.200 and 46.17.200; and creating a new section.

Referred to Committee on Transportation.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

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

SECOND READING

HOUSE BILL NO. 2299, by Representatives Warnick, Clibborn, Haigh, Armstrong, Short, Nealey, Fagan, Tharinger, Hunt, Moscoso and Jinkins

Creating "4-H" special license plates.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2299 was substituted for House Bill No. 2299 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2299 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 Warnick and Jinkins 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. 2299.

MOTIONS

On motion of Representative Van De Wege, Representatives Goodman, Hasegawa and Liias were excused. On motion of Representative Hinkle, Representative Parker was excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2299, and the bill passed the House by the following vote: Yeas, 93; Nays, 1; Absent, 0; Excused, 4.

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

Voting nay: Representative Stanford.

Excused: Representatives Goodman, Hasegawa, Liias and Parker.

SUBSTITUTE HOUSE BILL NO. 2299, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2312, by Representatives Zeiger, Clibborn, Armstrong, Ladenburg, Hargrove, Billig, Dammeier, Orwall, Bailey, Takko, Finn, Asay, Smith, Tharinger, Kelley, Pearson, Miloscia and Moscoso

Making military service award emblems available for purchase.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2312 was substituted for House Bill No. 2312 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2312 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 Zeiger and Clibborn 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. 2312.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2312, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, 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, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Hasegawa and Liias.

SUBSTITUTE HOUSE BILL NO. 2312, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Dammeier congratulated Representative Zeiger on the passage of his first bill through the House and asked the Chamber to acknowledge his accomplishment.

HOUSE BILL NO. 2469, by Representatives Upthegrove, Angel, Takko and Asay

Regarding boatyard storm water treatment systems.

The bill was read the second time.

Representative Upthegrove moved the adoption of amendment (892).

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 90.58.355 and 1994 c 257 s 20 are each amended to read as follows:

The procedural requirements of this chapter shall not apply to any person:

(1) Conducting a remedial action at a facility pursuant to a consent decree, order, or agreed order issued pursuant to chapter 70.105D RCW, or to the department of ecology when it conducts a remedial action under chapter 70.105D RCW. The department (~~of ecology shall~~) must ensure compliance with the substantive requirements of this chapter through the consent decree, order, or agreed order issued pursuant to chapter 70.105D RCW, or during the department-conducted remedial action, through the procedures developed by the department pursuant to RCW 70.105D.090; or

(2) Installing site improvements for storm water treatment in an existing boatyard facility to meet requirements of a national pollutant discharge elimination system storm water general permit. The department must ensure compliance with the substantive requirements of this chapter through the review of engineering reports, site plans, and other documents related to the installation of boatyard storm water treatment facilities."

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

Amendment (892) was adopted.

The bill was ordered engrossed.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2469.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2469, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, 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, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Liias.

ENGROSSED HOUSE BILL NO. 2469, having received the necessary constitutional majority, was declared passed.

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

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2223, by House Committee on Technology, Energy & Communications (originally sponsored by Representatives Takko, Morris, Armstrong and Angel).

Regarding the effective date of RCW 19.122.130, from the underground utility damage prevention act.

The bill was read the third time.

Representatives Takko and Armstrong spoke in favor of the passage of the bill.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2223, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, 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, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Liias.

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

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

SECOND READING

HOUSE BILL NO. 2191, by Representatives Rivers, Blake, Klippert, Hurst, Haler, Takko, Alexander, Hope, Harris and Reykdal

Concerning police dogs.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2191 was substituted for House Bill No. 2191 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2191 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 Rivers and Hurst 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. 2191.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2191, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, 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, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 2191, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2256, by Representatives Kelley, Bailey, Kirby, Rivers, Ryu, Condotta, Buys and Stanford

Regulating the licensing of escrow agents.

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 Kelley and Bailey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2256.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2256, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, 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, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

HOUSE BILL NO. 2256, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2259, by Representatives Zeiger, Seaquist, Haler and Roberts

Eliminating certain duplicative higher education reporting requirements.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2259 was substituted for House Bill No. 2259 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2259 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 Zeiger 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. 2259.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2259, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE HOUSE BILL NO. 2259, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2270, by Representatives Angel, Armstrong, Johnson and Finn

Concerning signage for automated traffic safety camera locations.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2270 was substituted for House Bill No. 2270 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2270 was read the second time.

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

Representatives Angel and Lias 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. 2270.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2270, and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0.

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

Voting nay: Representatives DeBolt, Hurst and Ross.

SUBSTITUTE HOUSE BILL NO. 2270, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2274, by Representatives Armstrong, Clibborn and Ormsby

Allowing registered tow truck operators to pass the costs of tolls and ferry fares to the impounded vehicle's registered owner.

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 Armstrong and Clibborn 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. 2274.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2274, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey,

Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

HOUSE BILL NO. 2274, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2313, by Representatives Zeiger, Carlyle, Probst, Wilcox, Anderson, Haler, Fagan, Reykdal, Springer, Buys, Pollet, Wylie, Crouse, Jinkins, Moscoso and Overstreet

Concerning the meeting procedures of the boards of trustees and boards of regents of institutions of higher education.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2313 was substituted for House Bill No. 2313 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2313 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 Zeiger 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. 2313.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2313, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, 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, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 2313, having received the necessary constitutional majority, was declared passed.

MESSAGES FROM THE SENATE

February 7, 2012

MR. SPEAKER:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4408
ENGROSSED HOUSE CONCURRENT RESOLUTION NO. 4409
and the same are herewith transmitted.

Thomas Hoemann, Secretary

February 8, 2012

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 6082
SUBSTITUTE SENATE BILL NO. 6112
SUBSTITUTE SENATE BILL NO. 6116
SENATE BILL NO. 6131

and the same are herewith transmitted.

Thomas Hoemann, Secretary

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 6239, by Senate Committee on Government Operations, Tribal Relations & Elections (originally sponsored by Senators Murray, Pflug, Hobbs, Litzow, Kohl-Welles, Ranker, Tom, Harper, Pridemore, Keiser, Kline, Regala, Eide, Rolfes, McAuliffe, Brown, Nelson, Chase, Fraser, Frockt, Conway, Kilmer and Prentice)

Concerning civil marriage and domestic partnerships.

The bill was read the second time.

Representative Shea moved the adoption of amendment (906).

On page 1, after line 10, insert the following:

"NEW SECTION. Sec. 1. (1) The legislature recognizes the preeminent protections of religious freedom in both the federal and state constitutions and that every person enjoys the secured rights of freedom of religious exercise, freedom of conscience, and free speech.

Article I, section 11 of the Washington state Constitution provides in pertinent part, "Absolute freedom of conscience in all matters of religious sentiment, belief and worship, shall be guaranteed to every individual, and no one shall be molested or disturbed in person or property on account of religion."

Article XXVI of the Washington state Constitution provides in pertinent part, "The following ordinance shall be irrevocable without the consent of the United States and the people of this state: First. That perfect toleration of religious sentiment shall be secured and that no inhabitant of this state shall ever be molested in person or property on account of his or her mode of religious worship."

The First Clause of the First Amendment of the Bill of Rights to the United States Constitution provides in pertinent part, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

(2) It is the intent of this act to ensure: (a) that all persons in this state may enjoy the freedom to marry on equal terms; (b) the religious freedom of clergy and religious institutions to determine for whom to perform marriage ceremonies and to determine which marriages to recognize for religious purposes; and (c) the free exercise of religion and freedom of conscience of all the people of the state of Washington based on their sincerely-held religious beliefs regarding marriage.

(3) No official of any religious organization or nonprofit institution or other person authorized to solemnize marriages may be

required to solemnize any marriage in violation of his or her right to free exercise of religion guaranteed by the First Amendment to the United States Constitution or by the Washington state Constitution, and no individual, private business, or other private entity may be required to recognize or provide accommodations, facilities, goods or services for any marriage in violation of his or her right to free exercise of religion guaranteed by the First Amendment to the United States Constitution or by the Washington state Constitution."

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

On page 2, beginning on line 3, after "(3)" strike all material through "(7)" on line 26 and insert the following:

"(a) No church, religious denomination, or other religious organization, or any regularly licensed or ordained minister or any priest, imam, rabbi, or similar official of any church, religious denomination, or other religious organization, is required to solemnize any marriage, or to recognize any marriage solemnized or otherwise recognized under the laws of this state or any other state.

(b) A church, religious denomination, and other religious organization, and any regularly licensed or ordained minister and any priest, imam, rabbi, or similar official of any church, religious denomination, or religious organization, is immune from any civil claim or cause of action based on a refusal to solemnize any marriage, or to recognize any marriage solemnized or otherwise recognized under the laws of this state or any other state.

(c) No state or local government, or any agency thereof, may penalize, withhold benefits from, or refuse to contract with, any church, religious denomination, or other religious organization, or any nonprofit entity affiliated with a religious organization, based on the refusal of the church, religious denomination, other religious organization, or nonprofit entity to solemnize any marriage, or to recognize any marriage solemnized or otherwise recognized under the laws of this state or any other state.

(d) No judge, justice, or commissioner is required to solemnize any marriage contrary to his or her sincerely-held religious beliefs regarding marriage in violation of his or her right to free exercise of religion guaranteed by the First Amendment to the United States Constitution or by the Washington state Constitution. A judge, justice, or commissioner is immune from any civil claim or cause of action based on a refusal to solemnize any such marriage.

(e) The provisions of this subsection (3) shall be broadly construed.

(4)"

On page 3, beginning on line 1, after "other" strike all material through "religion" on line 4 and insert "such entities"

On page 3, beginning on line 28, after "(5)" strike all material through "RCW" on page 4, line 6 and insert the following:

"(a) No church, religious denomination, other religious organization, or any nonprofit entity affiliated with a religious organization, or any regularly licensed or ordained minister or any priest, imam, rabbi, or similar official of any church, religious denomination, or other religious organization, is required to provide accommodations, facilities, advantages, privileges, services, or goods related to the solemnization or celebration of a marriage.

(b) A church, religious denomination, other religious organization, or any nonprofit entity affiliated with a religious organization, or any regularly licensed or ordained minister or any priest, imam, rabbi, or similar official of any church, religious denomination, or other religious organization, shall be immune from any civil claim or cause of action, including a claim pursuant to chapter 49.60 RCW, based on the refusal to provide accommodations, facilities, advantages, privileges, services, or goods related to the solemnization or celebration of a marriage.

(6)(a) No individual, private business, or other private entity is required to provide accommodations, facilities, advantages, privileges, services, or goods related to the solemnization of a

marriage, or otherwise participate in, endorse, facilitate, or otherwise assist any marriage, marriage ceremony, or marriage celebration, or any other event or circumstance recognizing any marriage contrary to the sincerely-held religious beliefs of the individual or sincerely-held religious practices or policies of the business or entity, regarding marriage in violation of the right to free exercise of religion guaranteed by the First Amendment to the United States Constitution or by the Washington state Constitution.

(b) An individual, private business, or other private entity shall be immune from any civil claim or cause of action, including a claim pursuant to chapter 49.60 RCW, based on the refusal to provide accommodations, facilities, advantages, privileges, services, or goods related to the solemnization of a marriage, or otherwise participate in, endorse, facilitate, or otherwise assist any marriage, marriage ceremony or marriage celebration, or other event or circumstance recognizing any marriage contrary to the sincerely-held religious beliefs of the individual or sincerely-held religious practices or policies of the business or entity, regarding marriage in violation of the right to free exercise of religion guaranteed by the First Amendment to the United States Constitution or by the Washington state Constitution"

On page 5, beginning on line 11, after "other" strike all material through "religion" on line 12 and insert "such entities"

Representative Shea and Shea (again) spoke in favor of the adoption of the amendment.

Representative Goodman spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (906) and the amendment was not adopted by the following vote: Yeas, 45; Nays, 53; Absent, 0; Excused, 0.

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

Voting nay: Representatives Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kenney, Kirby, Ladenburg, Lias, Lytton, Maxwell, McCoy, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Roberts, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Uptegrove, Van De Wege, Walsh, Wylie and Mr. Speaker.

With the consent of the house, amendment 907 was withdrawn.

Representative Smith moved the adoption of amendment (939).

On page 1, after line 10, insert the following:

"**NEW SECTION. Sec. 1.** A new section is added to chapter 26.04 RCW to read as follows:

(1) The legislature recognizes that the First Amendment to the United States Constitution applies to the states and provides that "Congress shall make no law...abridging the freedom of speech...."

and Article I, section 5 of the Washington state Constitution provides that "Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that right."

(2) The legislature finds that pure free speech, that is, mere written or spoken words alone, that lawfully expresses a person's opinions or beliefs regarding marriage between a man and a woman, or between two persons of the same gender, is a constitutionally protected right.

(3) The legislature further finds that such lawful expressions of opinions or beliefs are not based on a view of a person's sexual orientation but are based on a view of the institution of marriage, regardless of a person's sexual orientation."

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

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

Representative Jinkins spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (939) and the amendment was not adopted by the following vote: Yeas, 45; Nays, 53; Absent, 0; Excused, 0.

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

Voting nay: Representatives Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kenney, Kirby, Ladenburg, Lias, Lytton, Maxwell, McCoy, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Roberts, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Representative Smith moved the adoption of amendment (913).

On page 5, line 4, after "to be" strike "~~(husband and wife)~~" and insert "husband and wife or"

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

Representative Orwall spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (913) and the amendment was not adopted by the following vote: Yeas, 45; Nays, 53; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris,

Hinkle, Hope, Hurst, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, Miloscia, Morris, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh, Warnick, Wilcox and Zeiger.

Voting nay: Representatives Anderson, Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kenney, Kirby, Ladenburg, Lias, Lytton, Maxwell, McCoy, Moeller, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Roberts, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Representative Shea moved the adoption of amendment (908).

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

"**Sec. 8.** RCW 26.04.140 and 1985 c 82 s 1 are each amended to read as follows:

Before any persons can be joined in marriage, they shall be residents of the state for at least one month prior to their marriage and shall procure a license from a county auditor, as provided in RCW 26.04.150 through 26.04.190.

Sec. 9. RCW 26.04.160 and 1997 c 58 s 909 are each amended to read as follows:

(1) Application for a marriage license must be made and filed with the appropriate county auditor upon blanks to be provided by the county auditor for that purpose, which application shall be under the oath of each of the applicants, and each application shall state the name, address at the time of execution of application, age, social security number, birthplace, whether single, widowed or divorced, ~~((and))~~ whether under control of a guardian, and whether Washington has been their place of residence during the past ~~((six))~~ one month((s)): PROVIDED, That each county may require such other and further information on said application as it shall deem necessary.

(2) The county legislative authority may impose an additional fee up to fifteen dollars on a marriage license for the purpose of funding family services such as family support centers."

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

Representative Shea and Shea (again) spoke in favor of the adoption of the amendment.

Representative Roberts spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (908) and the amendment was not adopted by the following vote: Yeas, 42; Nays, 55; Absent, 0; Excused, 0.

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

Voting nay: Representatives Anderson, Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Lias, Lytton, Maxwell, McCoy, Moeller, Morris, Moscoso,

Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Roberts, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Walsh, Wylie and Mr. Speaker.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Amendment (908) to Engrossed Substitute Senate Bill No. 6239.

Representative Darneille, 27th District

SECOND READING

Representative Rodne moved the adoption of amendment (909).

On page 10, after line 3, insert the following:

"NEW SECTION, Sec. 18. The secretary of state shall submit this act to the people for their adoption and ratification, or rejection, at the next general election to be held in this state, in accordance with Article II, section 1 of the state Constitution and the laws adopted to facilitate its operation."

Renumber the remaining section consecutively and correct the title.

Representative Rodne and Rodne (again) spoke in favor of the adoption of the amendment.

Representative Eddy spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (909) and the amendment was not adopted by the following vote: Yeas, 47; Nays, 51; Absent, 0; Excused, 0.

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

Voting nay: Representatives Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kenney, Ladenburg, Liias, Lytton, Maxwell, McCoy, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pollet, Probst, Reykdal, Roberts, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Representative Rodne moved the adoption of amendment (910).

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 26.04.010 and 1998 c 1 s 3 are each amended to read as follows:

(1) Marriage is a civil contract between ~~((a male and a female))~~ two persons who have each attained the age of eighteen years, and who are otherwise capable.

(2) Every marriage entered into in which either ~~((the husband or the wife))~~ person has not attained the age of seventeen years is void

except where this section has been waived by a superior court judge of the county in which one of the parties resides on a showing of necessity.

(3) Where necessary to implement the rights and responsibilities of spouses under the law, gender specific terms such as husband and wife used in any statute, rule, or other law must be construed to be gender neutral and applicable to spouses of the same sex.

(4) No regularly licensed or ordained minister or any priest, imam, rabbi, or similar official of any religious organization is required to solemnize or recognize any marriage. A regularly licensed or ordained minister or any priest, imam, rabbi, or similar official of any religious organization shall be immune from any civil claim or cause of action based on a refusal to solemnize or recognize any marriage under this section. No state agency or local government may base a decision to penalize, withhold benefits from, license, or refuse to contract with any religious organization on the opposition of or refusal of a person associated with such religious organization to solemnize or recognize a marriage under this section.

(5) No religious organization is required to provide accommodations, facilities, advantages, privileges, services, or goods related to the solemnization, celebration, or recognition of a marriage.

(6) A religious organization is immune from any civil claim or cause of action, including a claim pursuant to chapter 49.60 RCW, based on its refusal to provide accommodations, facilities, advantages, privileges, services, or goods related to the solemnization, recognition, or celebration of a marriage.

(7) For purposes of this section:

(a) "Recognize" or "recognition" means to provide religious-based services that:

(i) Are delivered by a religious organization, or by an individual who is managed, supervised, or directed by a religious organization; and

(ii) Are designed for married couples or couples engaged to marry and are directly related to solemnizing, celebrating, strengthening, or promoting a marriage, such as religious counseling programs, courses, retreats, and workshops.

Sec. 2. RCW 26.04.020 and 1998 c 1 s 4 are each amended to read as follows:

(1) Marriages in the following cases are prohibited:

(a) When either party thereto has a ~~((wife or husband))~~ spouse or registered domestic partner living at the time of such marriage, unless the registered domestic partner is the other party to the marriage; or

(b) When the ~~((husband and wife))~~ spouses are nearer of kin to each other than second cousins, whether of the whole or half blood computing by the rules of the civil law ~~((; or~~ ~~((e) When the parties are persons other than a male and a female)).~~

(2) It is unlawful for any ~~((man to marry his father's sister, mother's sister, daughter, sister, son's daughter, daughter's daughter, brother's daughter or sister's daughter; it is unlawful for any woman to marry her father's brother, mother's brother, son, brother, son's son, daughter's son, brother's son or sister's son))~~ person to marry his or her sibling, child, grandchild, aunt, uncle, niece, or nephew.

(3) A marriage between two persons that is recognized as valid in another jurisdiction is valid in this state only if the marriage is not prohibited or made unlawful under subsection (1)(a) ~~((; (1)(e);))~~ or (2) of this section.

(4) A legal union, other than a marriage, between two individuals that was validly formed in another state or jurisdiction and that provides substantially the same rights, benefits, and responsibilities as a marriage, does not prohibit those same two individuals from obtaining a marriage license in Washington.

(5) No state agency or local government may base a decision to penalize, withhold benefits from, license, or refuse to contract with

any religious organization based on the opposition to or refusal of a person associated with such religious organization to provide accommodations, facilities, advantages, privileges, services, or goods related to the solemnization, recognition, or celebration of a marriage.

(6) No religiously affiliated educational institution is required to provide accommodations, facilities, advantages, privileges, services, or goods related to the solemnization, recognition, or celebration of a marriage, including the use of any campus chapel or church. A religiously affiliated educational institution is immune from any civil claim or cause of action, including a claim pursuant to chapter 49.60 RCW, based on its refusal to provide accommodations, facilities, advantages, privileges, services, or goods related to the solemnization, recognition, or celebration of a marriage.

NEW SECTION. Sec. 3. A new section is added to chapter 26.04 RCW to read as follows: "Religious organization" as defined in this chapter must be interpreted liberally to include faith-based social service organizations involved in social services directed at the larger community.

Sec. 4. RCW 26.04.050 and 2007 c 29 s 1 are each amended to read as follows:

The following named officers and persons, active or retired, are hereby authorized to solemnize marriages, to wit: Justices of the supreme court, judges of the court of appeals, judges of the superior courts, supreme court commissioners, court of appeals commissioners, superior court commissioners, any regularly licensed or ordained minister or any priest, imam, rabbi, or similar official of any ~~((church or))~~ religious ~~((denomination))~~ organization, and judges of courts of limited jurisdiction as defined in RCW 3.02.010.

Sec. 5. RCW 26.04.060 and 1975-'76 2nd ex.s. c 42 s 25 are each amended to read as follows:

A marriage solemnized before any person professing to be a minister or a priest ~~((of any))~~, imam, rabbi, or similar official of any religious ((denomination)) organization in this state or professing to be an authorized officer thereof, is not void, nor shall the validity thereof be in any way affected on account of any want of power or authority in such person, if such marriage be consummated with a belief on the part of the persons so married, or either of them, that they have been lawfully joined in marriage.

Sec. 6. RCW 26.04.070 and Code 1881 s 2383 are each amended to read as follows:

In the solemnization of marriage no particular form is required, except that the parties thereto shall assent or declare in the presence of the minister, priest, imam, rabbi, or similar official of any religious organization, or judicial officer solemnizing the same, and in the presence of at least two attending witnesses, that they take each other to be ~~((husband and wife))~~ spouses.

NEW SECTION. Sec. 7. A new section is added to chapter 26.04 RCW to read as follows:

For purposes of this chapter, "religious organization" includes, but is not limited to, churches, mosques, synagogues, temples, nondenominational ministries, interdenominational and ecumenical organizations, mission organizations, faith-based social agencies, and other entities whose principal purpose is the study, practice, or advancement of religion.

Sec. 8. RCW 26.60.010 and 2007 c 156 s 1 are each amended to read as follows:

Many Washingtonians are in intimate, committed, and exclusive relationships with another person to whom they are not legally married. These relationships are important to the individuals involved and their families; they also benefit the public by providing a private source of mutual support for the financial, physical, and emotional health of those individuals and their families. The public has an interest in providing a legal framework for such mutually supportive relationships, whether the partners are of the same or different sexes, and irrespective of their sexual orientation.

((The legislature finds that same sex couples, because they cannot marry in this state, do not automatically have the same access that married couples have to certain rights and benefits, such as those associated with hospital visitation, health care decision-making, organ donation decisions, and other issues related to illness, incapacity, and death. Although many of these rights and benefits may be secured by private agreement, doing so often is costly and complex.))

The legislature ~~((also))~~ finds that the public interest would be served by extending rights and benefits to ~~((different sex))~~ couples in which either or both of the partners ~~((is))~~ are at least sixty-two years of age. While these couples are entitled to marry under the state's marriage statutes, some social security and pension laws nevertheless make it impractical for these couples to marry. For this reason, chapter 156, Laws of 2007 specifically allows couples to enter into a state registered domestic partnership if one of the persons is at least sixty-two years of age, the age at which many people choose to retire and are eligible to begin collecting social security and pension benefits.

The rights granted to state registered domestic partners in chapter 156, Laws of 2007 will further Washington's interest in promoting family relationships and protecting family members during life crises. Chapter 156, Laws of 2007 does not affect marriage or any other ways in which legal rights and responsibilities between two adults may be created, recognized, or given effect in Washington.

Sec. 9. RCW 26.60.030 and 2007 c 156 s 4 are each amended to read as follows:

To enter into a state registered domestic partnership the two persons involved must meet the following requirements:

- (1) Both persons share a common residence;
- (2) Both persons are at least eighteen years of age and at least one of the persons is sixty-two years of age or older;
- (3) Neither person is married to someone other than the party to the domestic partnership and neither person is in a state registered domestic partnership with another person;
- (4) Both persons are capable of consenting to the domestic partnership; and
- (5) Both of the following are true:
 - (a) The persons are not nearer of kin to each other than second cousins, whether of the whole or half blood computing by the rules of the civil law; and
 - (b) Neither person is a sibling, child, grandchild, aunt, uncle, niece, or nephew to the other person(;; and

- (6) Either (a) both persons are members of the same sex; or (b) at least one of the persons is sixty-two years of age or older)).

NEW SECTION. Sec. 10. A new section is added to chapter 26.60 RCW to read as follows:

(1) Partners in a state registered domestic partnership may apply and receive a marriage license and have such marriage solemnized pursuant to chapter 26.04 RCW, so long as the parties are otherwise eligible to marry, and the parties to the marriage are the same as the parties to the state registered domestic partnership.

(2) A state registered domestic partnership is dissolved by operation of law by any marriage of the same parties to each other, as of the date of the marriage stated in the certificate.

(3)(a) Except as provided in (b) of this subsection, any state registered domestic partnership in which the parties are the same sex, and neither party is sixty-two years of age or older, that has not been dissolved or converted into a marriage by the parties by June 30, 2014, is automatically merged into a marriage and is deemed a marriage as of June 30, 2014.

(b) If the parties to a state registered domestic partnership have proceedings for dissolution, annulment, or legal separation pending as of June 30, 2014, the parties' state registered domestic partnership is not automatically merged into a marriage and the dissolution, annulment, or legal separation of the state registered domestic

partnership is governed by the provisions of the statutes applicable to state registered domestic partnerships in effect before June 30, 2014. If such proceedings are finalized without dissolution, annulment, or legal separation, the state registered domestic partnership is automatically merged into a marriage and is deemed a marriage as of June 30, 2014.

(4) For purposes of determining the legal rights and responsibilities involving individuals who had previously had a state registered domestic partnership and have been issued a marriage license or are deemed married under the provisions of this section, the date of the original state registered domestic partnership is the legal date of the marriage. Nothing in this subsection prohibits a different date from being included on the marriage license.

NEW SECTION. Sec. 11. A new section is added to chapter 26.04 RCW to read as follows:

If two persons in Washington have a legal union, other than a marriage, that:

(1) Was validly formed in another state or jurisdiction;

(2) Provides substantially the same rights, benefits, and responsibilities as a marriage; and

(3) Does not meet the definition of domestic partnership in RCW 26.60.030,

then they shall be treated as having the same rights and responsibilities as married spouses in this state, unless:

(a) Such relationship is prohibited by RCW 26.04.020 (1)(a) or (2); or

(b) They become permanent residents of Washington state and do not enter into a marriage within one year after becoming permanent residents.

Sec. 12. RCW 26.60.090 and 2011 c 9 s 1 are each amended to read as follows:

A legal union, other than a marriage, of two persons (~~(of the same sex)~~) that was validly formed in another jurisdiction, and that is substantially equivalent to a domestic partnership under this chapter, shall be recognized as a valid domestic partnership in this state and shall be treated the same as a domestic partnership registered in this state regardless of whether it bears the name domestic partnership.

Sec. 13. RCW 1.12.080 and 2011 c 9 s 2 are each amended to read as follows:

For the purposes of this code and any legislation hereafter enacted by the legislature or by the people, with the exception of chapter 26.04 RCW, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, unless the legislation expressly states otherwise and to the extent that such interpretation does not conflict with federal law. Where necessary to implement chapter 521, Laws of 2009 and this act, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships and spouses of the same sex.

NEW SECTION. Sec. 14. A new section is added to chapter 26.33 RCW to read as follows:

Nothing contained in chapter . . . , Laws of 2012 (this act) shall be construed to alter or affect existing law regarding the manner in which a religious or nonprofit organization may be licensed to and provide adoption, foster care, or other child-placing services under this chapter or chapter 74.15 or 74.13 RCW.

NEW SECTION. Sec. 15. A new section is added to chapter 74.13 RCW to read as follows:

Nothing contained in chapter . . . , Laws of 2012 (this act) shall be construed to alter or affect existing law regarding the manner in

which a religious or nonprofit organization may be licensed to and provide adoption, foster care, or other child-placing services under this chapter or chapter 74.15 or 26.33 RCW.

NEW SECTION. Sec. 16. A new section is added to chapter 74.15 RCW to read as follows:

Nothing contained in chapter . . . , Laws of 2012 (this act) shall be construed to alter or affect existing law regarding the manner in which a religious or nonprofit organization may be licensed to and provide adoption, foster care, or other child-placing services under this chapter or chapter 74.13 or 26.33 RCW.

NEW SECTION. Sec. 17. (1) Within sixty days after the effective date of this section, the secretary of state shall send a letter to the mailing address on file of each same-sex domestic partner registered under chapter 26.60 RCW notifying the person that Washington's law on the rights and responsibilities of state registered domestic partners will change in relation to certain same-sex registered domestic partners.

(2) The notice must provide a brief summary of the new law and must clearly state that provisions related to certain same-sex registered domestic partnerships will change as of the effective dates of this act, and that those same-sex registered domestic partnerships that are not dissolved prior to June 30, 2014, will be converted to marriage as an act of law.

(3) The secretary of state shall send a second similar notice to the mailing address on file of each domestic partner registered under chapter 26.60 RCW by May 1, 2014.

NEW SECTION. Sec. 18. Sections 8 and 9 of this act take effect June 30, 2014, but only if all other provisions of this act are implemented."

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

Representative Pedersen spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (910) and the amendment was not adopted by the following vote: Yeas, 42; Nays, 56; Absent, 0; Excused, 0.

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

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

Representative Shea moved the adoption of amendment (911).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 26.04.010 and 1998 c 1 s 3 are each amended to read as follows:

(1) Marriage is a civil contract between ~~((a male and a female))~~ two persons who have each attained the age of eighteen years, and who are otherwise capable.

(2) Every marriage entered into in which either ~~((the husband or the wife))~~ person has not attained the age of seventeen years is void except where this section has been waived by a superior court judge of the county in which one of the parties resides on a showing of necessity.

(3) Where necessary to implement the rights and responsibilities of spouses under the law, gender specific terms such as husband and wife used in any statute, rule, or other law must be construed to be gender neutral and applicable to spouses of the same sex.

(4) No regularly licensed or ordained minister or any priest, imam, rabbi, or similar official of any religious organization is required to solemnize or recognize any marriage. A regularly licensed or ordained minister or priest, imam, rabbi, or similar official of any religious organization shall be immune from any civil claim or cause of action based on a refusal to solemnize or recognize any marriage under this section. No state agency or local government may base a decision to penalize, withhold benefits from, or refuse to contract with any religious organization on the refusal of a person associated with such religious organization to solemnize or recognize a marriage under this section.

(5) No religious organization is required to provide accommodations, facilities, advantages, privileges, services, or goods related to the solemnization or celebration of a marriage.

(6) A religious organization shall be immune from any civil claim or cause of action, including a claim pursuant to chapter 49.60 RCW, based on its refusal to provide accommodations, facilities, advantages, privileges, services, or goods related to the solemnization or celebration of a marriage.

(7) For the purposes of this section:

(a) "Recognize" means to provide religious-based services that:

(i) Are delivered by a religious organization, or by an individual who is managed, supervised, or directed by a religious organization; and

(ii) Are designed for married couples or couples engaged to marry and are directly related to solemnizing, celebrating, strengthening, or promoting a marriage, such as religious counseling programs, courses, retreats, and workshops.

Sec. 2. RCW 26.04.020 and 1998 c 1 s 4 are each amended to read as follows:

(1) Marriages in the following cases are prohibited:

(a) When either party thereto has a ~~((wife or husband))~~ spouse or registered domestic partner living at the time of such marriage, unless the registered domestic partner is the other party to the marriage; or

(b) When the ~~((husband and wife))~~ spouses are nearer of kin to each other than second cousins, whether of the whole or half blood computing by the rules of the civil law ~~((or~~

~~((when the parties are persons other than a male and a female))~~.

(2) It is unlawful for any ~~((man to marry his father's sister, mother's sister, daughter, sister, son's daughter, daughter's daughter, brother's daughter or sister's daughter; it is unlawful for any woman to marry her father's brother, mother's brother, son, brother, son's son, daughter's son, brother's son or sister's son))~~ person to marry his or her sibling, child, grandchild, aunt, uncle, niece, or nephew.

(3) A marriage between two persons that is recognized as valid in another jurisdiction is valid in this state only if the marriage is not prohibited or made unlawful under subsection (1)(a) ~~((or (c)))~~ or (2) of this section.

(4) A legal union, other than a marriage, between two individuals that was validly formed in another state or jurisdiction and that provides substantially the same rights, benefits, and responsibilities as a marriage, does not prohibit those same two individuals from obtaining a marriage license in Washington.

(5) No state agency or local government may base a decision to penalize, withhold benefits from, license, or refuse to contract with any religious organization based on the opposition to or refusal to provide accommodations, facilities, advantages, privileges, service, or goods related to the solemnization or celebration of a marriage.

(6) No religiously affiliated educational institution shall be required to provide accommodations, facilities, advantages, privileges, service, or goods related to the solemnization or celebration of a marriage, including a use of any campus chapel or church. A religiously affiliated educational institution shall be immune from a civil claim or cause of action, including a claim pursuant to chapter 49.60 RCW, based on its refusal to provide accommodations, facilities, advantages, privileges, service, or goods related to the solemnization or celebration of a marriage.

NEW SECTION. Sec. 3. A new section is added to chapter 26.04 RCW to read as follows: "Religious organization" as defined in this chapter must be interpreted liberally to include faith-based social service organizations involved in social services directed at the larger community.

Sec. 4. RCW 26.04.050 and 2007 c 29 s 1 are each amended to read as follows:

The following named officers and persons, active or retired, are hereby authorized to solemnize marriages, to wit: Justices of the supreme court, judges of the court of appeals, judges of the superior courts, supreme court commissioners, court of appeals commissioners, superior court commissioners, any regularly licensed or ordained minister or any priest, imam, rabbi, or similar official of any ~~((church or))~~ religious ~~((denomination))~~ organization, and judges of courts of limited jurisdiction as defined in RCW 3.02.010.

Sec. 5. RCW 26.04.060 and 1975-'76 2nd ex.s. c 42 s 25 are each amended to read as follows:

A marriage solemnized before any person professing to be a minister or a priest ~~((of any))~~, imam, rabbi, or similar official of any religious ((denomination)) organization in this state or professing to be an authorized officer thereof, is not void, nor shall the validity thereof be in any way affected on account of any want of power or authority in such person, if such marriage be consummated with a belief on the part of the persons so married, or either of them, that they have been lawfully joined in marriage.

Sec. 6. RCW 26.04.070 and Code 1881 s 2383 are each amended to read as follows:

In the solemnization of marriage no particular form is required, except that the parties thereto shall assent or declare in the presence of the minister, priest, imam, rabbi, or similar official of any religious organization, or judicial officer solemnizing the same, and in the presence of at least two attending witnesses, that they take each other to be ~~((husband and wife))~~ spouses.

NEW SECTION. Sec. 7. A new section is added to chapter 26.04 RCW to read as follows:

For purposes of this chapter, "religious organization" includes, but is not limited to, churches, mosques, synagogues, temples, nondenominational ministries, interdenominational and ecumenical organizations, mission organizations, faith-based social agencies, and other entities whose principal purpose is the study, practice, or advancement of religion.

Sec. 8. RCW 26.60.010 and 2007 c 156 s 1 are each amended to read as follows:

Many Washingtonians are in intimate, committed, and exclusive relationships with another person to whom they are not legally married. These relationships are important to the individuals involved

and their families; they also benefit the public by providing a private source of mutual support for the financial, physical, and emotional health of those individuals and their families. The public has an interest in providing a legal framework for such mutually supportive relationships, whether the partners are of the same or different sexes, and irrespective of their sexual orientation.

((The legislature finds that same sex couples, because they cannot marry in this state, do not automatically have the same access that married couples have to certain rights and benefits, such as those associated with hospital visitation, health care decision-making, organ donation decisions, and other issues related to illness, incapacity, and death. Although many of these rights and benefits may be secured by private agreement, doing so often is costly and complex.))

The legislature (~~also~~) finds that the public interest would be served by extending rights and benefits to (~~different-sex~~) couples in which either or both of the partners (~~(*)~~) are at least sixty-two years of age. While these couples are entitled to marry under the state's marriage statutes, some social security and pension laws nevertheless make it impractical for these couples to marry. For this reason, chapter 156, Laws of 2007 specifically allows couples to enter into a state registered domestic partnership if one of the persons is at least sixty-two years of age, the age at which many people choose to retire and are eligible to begin collecting social security and pension benefits.

The rights granted to state registered domestic partners in chapter 156, Laws of 2007 will further Washington's interest in promoting family relationships and protecting family members during life crises. Chapter 156, Laws of 2007 does not affect marriage or any other ways in which legal rights and responsibilities between two adults may be created, recognized, or given effect in Washington.

Sec. 9. RCW 26.60.030 and 2007 c 156 s 4 are each amended to read as follows:

To enter into a state registered domestic partnership the two persons involved must meet the following requirements:

- (1) Both persons share a common residence;
- (2) Both persons are at least eighteen years of age and at least one of the persons is sixty-two years of age or older;
- (3) Neither person is married to someone other than the party to the domestic partnership and neither person is in a state registered domestic partnership with another person;
- (4) Both persons are capable of consenting to the domestic partnership; and
- (5) Both of the following are true:
 - (a) The persons are not nearer of kin to each other than second cousins, whether of the whole or half blood computing by the rules of the civil law; and
 - (b) Neither person is a sibling, child, grandchild, aunt, uncle, niece, or nephew to the other person(, and
- (6) Either (a) both persons are members of the same sex; or (b) at least one of the persons is sixty-two years of age or older)).

NEW SECTION. Sec. 10. A new section is added to chapter 26.60 RCW to read as follows:

(1) Partners in a state registered domestic partnership may apply and receive a marriage license and have such marriage solemnized pursuant to chapter 26.04 RCW, so long as the parties are otherwise eligible to marry, and the parties to the marriage are the same as the parties to the state registered domestic partnership.

(2) A state registered domestic partnership is dissolved by operation of law by any marriage of the same parties to each other, as of the date of the marriage stated in the certificate.

(3)(a) Except as provided in (b) of this subsection, any state registered domestic partnership in which the parties are the same sex, and neither party is sixty-two years of age or older, that has not been dissolved or converted into a marriage by the parties by June 30,

2014, is automatically merged into a marriage and is deemed a marriage as of June 30, 2014.

(b) If the parties to a state registered domestic partnership have proceedings for dissolution, annulment, or legal separation pending as of June 30, 2014, the parties' state registered domestic partnership is not automatically merged into a marriage and the dissolution, annulment, or legal separation of the state registered domestic partnership is governed by the provisions of the statutes applicable to state registered domestic partnerships in effect before June 30, 2014. If such proceedings are finalized without dissolution, annulment, or legal separation, the state registered domestic partnership is automatically merged into a marriage and is deemed a marriage as of June 30, 2014.

(4) For purposes of determining the legal rights and responsibilities involving individuals who had previously had a state registered domestic partnership and have been issued a marriage license or are deemed married under the provisions of this section, the date of the original state registered domestic partnership is the legal date of the marriage. Nothing in this subsection prohibits a different date from being included on the marriage license.

NEW SECTION. Sec. 11. A new section is added to chapter 26.04 RCW to read as follows:

If two persons in Washington have a legal union, other than a marriage, that:

- (1) Was validly formed in another state or jurisdiction;
- (2) Provides substantially the same rights, benefits, and responsibilities as a marriage; and

(3) Does not meet the definition of domestic partnership in RCW 26.60.030,

then they shall be treated as having the same rights and responsibilities as married spouses in this state, unless:

- (a) Such relationship is prohibited by RCW 26.04.020 (1)(a) or (2); or
- (b) They become permanent residents of Washington state and do not enter into a marriage within one year after becoming permanent residents.

Sec. 12. RCW 26.60.090 and 2011 c 9 s 1 are each amended to read as follows:

A legal union, other than a marriage, of two persons (~~(of the same sex)~~) that was validly formed in another jurisdiction, and that is substantially equivalent to a domestic partnership under this chapter, shall be recognized as a valid domestic partnership in this state and shall be treated the same as a domestic partnership registered in this state regardless of whether it bears the name domestic partnership.

Sec. 13. RCW 1.12.080 and 2011 c 9 s 2 are each amended to read as follows:

For the purposes of this code and any legislation hereafter enacted by the legislature or by the people, with the exception of chapter 26.04 RCW, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, unless the legislation expressly states otherwise and to the extent that such interpretation does not conflict with federal law. Where necessary to implement chapter 521, Laws of 2009 and this act, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships and spouses of the same sex.

NEW SECTION. Sec. 14. A new section is added to chapter 26.33 RCW to read as follows:

Nothing contained in chapter . . . , Laws of 2012 (this act) shall be construed to alter or affect existing law regarding the manner in

which a religious or nonprofit organization may be licensed to and provide adoption, foster care, or other child-placing services under this chapter or chapter 74.15 or 74.13 RCW.

NEW SECTION. Sec. 15. A new section is added to chapter 74.13 RCW to read as follows:

Nothing contained in chapter . . . , Laws of 2012 (this act) shall be construed to alter or affect existing law regarding the manner in which a religious or nonprofit organization may be licensed to and provide adoption, foster care, or other child-placing services under this chapter or chapter 74.15 or 26.33 RCW.

NEW SECTION. Sec. 16. A new section is added to chapter 74.15 RCW to read as follows:

Nothing contained in chapter . . . , Laws of 2012 (this act) shall be construed to alter or affect existing law regarding the manner in which a religious or nonprofit organization may be licensed to and provide adoption, foster care, or other child-placing services under this chapter or chapter 74.13 or 26.33 RCW.

NEW SECTION. Sec. 17. (1) Within sixty days after the effective date of this section, the secretary of state shall send a letter to the mailing address on file of each same-sex domestic partner registered under chapter 26.60 RCW notifying the person that Washington's law on the rights and responsibilities of state registered domestic partners will change in relation to certain same-sex registered domestic partners.

(2) The notice must provide a brief summary of the new law and must clearly state that provisions related to certain same-sex registered domestic partnerships will change as of the effective dates of this act, and that those same-sex registered domestic partnerships that are not dissolved prior to June 30, 2014, will be converted to marriage as an act of law.

(3) The secretary of state shall send a second similar notice to the mailing address on file of each domestic partner registered under chapter 26.60 RCW by May 1, 2014.

NEW SECTION. Sec. 18. Sections 8 and 9 of this act take effect June 30, 2014, but only if all other provisions of this act are implemented."

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

Representative Pedersen spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (911) and the amendment was not adopted by the following vote: Yeas, 42; Nays, 56; Absent, 0; Excused, 0.

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

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

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

Representatives Pedersen, Hunt, Jinkins, Kagi, Walsh, Anderson, Kenney, Liiias, Hansen and Pettigrew spoke in favor of the passage of the bill.

Representatives Rodne, Smith, Klippert, Ahern, McCune, Hinkle, Hargrove, Angel, Overstreet and Shea 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 Substitute Senate Bill No. 6239.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6239, and the bill passed the House by the following vote: Yeas, 55; Nays, 43; Absent, 0; Excused, 0.

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

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 6239, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1627, by Representatives Fitzgibbon, Maxwell, Springer, Eddy, Clibborn and Tharinger

Limiting the authority of boundary review boards.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1627 was substituted for House Bill No. 1627 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1627 was read the second time.

Representative Taylor moved the adoption of amendment (931).

On page 3, line 32, after "increase." insert "Additionally, if the annexation would result in additional indebtedness or excess tax levies, or both, for property owners in the area subject to the proposed increase, the board may not increase the area of a city or town annexation without first obtaining written consent from at least sixty

percent of the registered voters residing within the area subject to the proposed increase."

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

Amendment (931) was adopted.

Representative Taylor moved the adoption of amendment (932).

On page 3, line 32, after "increase." insert "Additionally, if the annexation would result in modifications to zoning ordinances governing the area subject to the proposed increase, the board may not increase the area of a city or town annexation without first obtaining written consent from the owners of property equaling at least sixty percent of the assessed valuation within the area subject to the proposed increase."

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

Amendment (932) was adopted.

Representative Short moved the adoption of amendment (914).

On page 3, after line 35, insert the following:

"If the board increases the total area of a proposed city or town annexation, property owners residing in the increased area may, after annexation, continue to own and possess pets and livestock lawfully in their possession at the time of the annexation. For purposes of this section, "pets" means domesticated or tamed animals that are not owned for commercial, breeding, or business purposes.

NEW SECTION, Sec. 2. A new section is added to chapter 35.13 RCW to read as follows:

If a boundary review board increases the total area of a proposed city or town annexation, property owners residing in the increased area may, after annexation, continue to own and possess pets and livestock lawfully in their possession at the time of the annexation. For purposes of this section, "pets" means domesticated or tamed animals that are not owned for commercial, breeding, or business purposes.

NEW SECTION, Sec. 3. A new section is added to chapter 35A.14 RCW to read as follows:

If a boundary review board increases the total area of a proposed code city annexation, property owners residing in the increased area may, after annexation, continue to own and possess pets and livestock lawfully in their possession at the time of the annexation. For purposes of this section, "pets" means domesticated or tamed animals that are not owned for commercial, breeding, or business purposes."

Correct the title.

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

Amendment (914) 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 Fitzgibbon spoke in favor of the passage of the bill.

Representative Angel spoke against 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. 1627.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1627, and the bill passed the House by the following vote: Yeas, 56; Nays, 42; Absent, 0; Excused, 0.

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

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

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1627, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1775, by Representatives Goodman and Kagi

Encouraging juvenile restorative justice programs.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1775 was substituted for House Bill No. 1775 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1775 was read the second time.

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

Representatives Goodman and Walsh 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. 1775.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1775, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan,

Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, 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, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1775, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2314, by Representatives Cody and Green

Concerning long-term care workers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2314 was substituted for House Bill No. 2314 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2314 was read the second time.

Representative Cody moved the adoption of amendment (897).

On page 11, line 35, after "2012" insert ", except for long-term care workers exempt from certification under RCW 18.88B.041(1)(a)"

On page 13, line 5, after "2012" insert ", except that it does not apply to long-term care workers employed by community residential service businesses until January 1, 2016"

On page 13, line 26, after "2013" insert ", except that it does not apply to long-term care workers employed by community residential service businesses until January 1, 2016"

On page 19, line 21, after "(b)" strike "For" and insert "(i) Except as provided in (b)(ii) of this subsection, for"

On page 19, after line 30, insert the following:

"(ii) This subsection does not apply to long-term care workers employed by community residential service businesses until January 1, 2016."

On page 48, line 4, after "18.88B.041" strike the remainder of the section and insert "74.39A.056, 74.39A.074, 74.39A.331, 74.39A.341, and 74.39A.351."

Representatives Cody and Schmick spoke in favor of the adoption of the amendment.

Amendment (897) was adopted.

Representative Cody moved the adoption of amendment (930).

On page 18, after line 26, insert the following:

NEW SECTION. Sec. 408. By September 1, 2012, the department of social and health services shall adopt rules that reflect all statutory and regulatory training requirements for long-term care workers, as defined in RCW 74.39A.009, to provide the services identified in RCW 74.39A.009(5)(a)."

Correct the title.

Representatives Cody and Schmick spoke in favor of the adoption of the amendment.

Amendment (930) 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 Cody and Schmick spoke in favor of the passage of the bill.

COLLOQUY

Representative Schmick: "Does the definition of 'community residential service business' include state-licensed boarding homes, assisted living facilities, and adult family homes?"

Representative Cody: "The definition applies only to those state-licensed boarding homes, assisted living facilities, and adult family homes that meet three criteria: First, the business must be certified by DSHS to provide services to developmentally disabled individuals. Second, all of the business's long-term care workers must be subject to the statutory and regulatory training requirements for serving individuals with developmental disabilities. This means they must meet or exceed those training requirements. Third, the business must have a contract with DSHS to provide services to individuals with developmental disabilities."

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2314.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2314, and the bill passed the House by the following vote: Yeas, 94; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, 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, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Overstreet, Shea and Taylor.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2314, having received the necessary two-thirds majority, was declared passed.

HOUSE BILL NO. 2285, by Representatives Hunt and Appleton

Making technical corrections to campaign finance laws.

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 Hunt and Taylor 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. 2285.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2285, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hunt, Hunter, Hurst, 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, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford,

Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

HOUSE BILL NO. 2285, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on House Bill No. 2285.
Representative Hudgins, 11th District

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

There being no objection, the House adjourned until 10:00 a.m., February 9, 2012, the 32nd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

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