

FIFTY FIRST DAY

House Chamber, Olympia, Tuesday, February 28, 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 Ryan Eriksen and Juliana Da Cruz. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor John Coleman Campbell, Yelm Community United Methodist Church, Washington.

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

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

SECOND READING

HOUSE BILL NO. 2373, by Representatives Van De Wege and Tharinger

Concerning the state's management of its recreational resources.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2373 was substituted for House Bill No. 2373 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2373 was read the second time.

Representative Wilcox moved the adoption of amendment (1203).

On page 3, line 23, after "to" insert ";

(a)"

On page 3, line 28, after "pass" insert ";

(b) A person who has been provided with a lifetime veteran's disability pass from the state parks and recreation commission under RCW 79A.05.065"

On page 7, beginning on line 21, after "(6)" strike all material through "violation." on line 25 and insert "The penalty for failure to comply with the requirements of this section is ninety-nine dollars. This penalty ((is)) must be:

(a) Reduced to fifty-nine dollars if an individual provides proof of purchase of ((the)) a discover pass to the court within fifteen days after the issuance of the notice of violation; and

(b) Waived entirely if an individual shows that he or she either has a lifetime veteran's disability pass from the state parks and recreation commission under RCW 79A.05.065 or is eligible for a lifetime veteran's disability pass."

On page 14, after line 19, insert the following:

"**Sec. 15.** RCW 79A.05.065 and 2011 c 171 s 115 are each amended to read as follows:

(1)(a) The commission shall grant to any person who meets the eligibility requirements specified in this section a senior citizen's pass which shall: (i) Entitle such a person, and members of his or her camping unit, to a fifty percent reduction in the campsite rental fee prescribed by the commission; and (ii) entitle such a person to free admission to any state park.

(b) The commission shall grant a senior citizen's pass to any person who applies for the senior citizen's pass and who meets the following requirements:

(i) The person is at least sixty-two years of age;

(ii) The person is a domiciliary of the state of Washington and meets reasonable residency requirements prescribed by the commission; and

(iii) The person and his or her spouse have a combined income that would qualify the person for a property tax exemption pursuant to RCW 84.36.381. The financial eligibility requirements of this subsection (1)(b)(iii) apply regardless of whether the applicant for a senior citizen's pass owns taxable property or has obtained or applied for such property tax exemption.

(c) Each senior citizen's pass granted pursuant to this section is valid as long as the senior citizen meets the requirements of (b)(ii) of this subsection. A senior citizen meeting the eligibility requirements of this section may make a voluntary donation for the upkeep and maintenance of state parks.

(d) A holder of a senior citizen's pass shall surrender the pass upon request of a commission employee when the employee has reason to believe the holder fails to meet the criteria in (b) of this subsection. The holder shall have the pass returned upon providing proof to the satisfaction of the director that the holder meets the eligibility criteria for obtaining the senior citizen's pass.

(2)(a) Any resident of Washington who is disabled as defined by the social security administration and who receives social security benefits for that disability, or any other benefits for that disability from any other governmental or nongovernmental source, or who is entitled to benefits for permanent disability under *RCW 71A.10.020(3) due to unemployability full time at the minimum wage, or who is legally blind or profoundly deaf, or who has been issued a card, decal, or special license plate for a permanent disability under RCW 46.19.010 shall be entitled to receive, regardless of age and upon making application therefor, a disability pass at no cost to the holder. The pass shall: (i) Entitle such a person, and members of his or her camping unit, to a fifty percent reduction in the campsite rental fee prescribed by the commission; and (ii) entitle such a person to free admission to any state park.

(b) A card, decal, or special license plate issued for a permanent disability under RCW 46.19.010 may serve as a pass for the holder to entitle that person and members of the person's camping unit to a fifty percent reduction in the campsite rental fee prescribed by the commission, and to allow the holder free admission to state parks.

(3) Any resident of Washington who is a veteran and has a service-connected disability of at least thirty percent shall be entitled to receive a lifetime veteran's disability pass at no cost to the holder. The pass shall: (a) Entitle such a person, and members of his or her camping unit, to free use of any campsite within any state park; (b)

entitle such a person to free admission to any state park; ~~((and))~~ (c) entitle such a person to an exemption from any reservation fees; and (d) entitle such a person to a complimentary discover pass consistent with the provisions of RCW 79A.80.020.

(4)(a) Any Washington state resident who provides out-of-home care to a child, as either a licensed foster-family home or a person related to the child, is entitled to a foster home pass.

(b) An applicant for a foster home pass must request a pass in the manner required by the commission. Upon receipt of a properly submitted request, the commission shall verify with the department of social and health services that the applicant qualifies under (a) of this subsection. Once issued, a foster home pass is valid for the period, which may not be less than one year, designated by the commission.

(c) When accompanied by a child receiving out-of-home care from the pass holder, a foster home pass: (i) Entitles such a person, and members of his or her camping unit, to free use of any campsite within any state park; and (ii) entitles such a person to free admission to any state park.

(d) For the purposes of this subsection (4):

(i) "Out-of-home care" means placement in a foster-family home or with a person related to the child under the authority of chapter 13.32A, 13.34, or 74.13 RCW;

(ii) "Foster-family home" has the same meaning as defined in RCW 74.15.020; and

(iii) "Person related to the child" means those persons referred to in RCW 74.15.020(2)(a) (i) through (vi).

(5) All passes issued pursuant to this section are valid at all parks any time during the year. However, the pass is not valid for admission to concessionaire operated facilities.

(6) The commission shall negotiate payment and costs, to allow holders of a foster home pass free access and usage of park campsites, with the following nonoperated, nonstate-owned parks: Central Ferry, Chief Timothy, Crow Butte, and Lyons Ferry. The commission shall seek state general fund reimbursement on a biennial basis.

(7) The commission may deny or revoke any Washington state park pass issued under this section for cause, including but not limited to the following:

(a) Residency outside the state of Washington;

(b) Violation of laws or state park rules resulting in eviction from a state park;

(c) Intimidating, obstructing, or assaulting a park employee or park volunteer who is engaged in the performance of official duties;

(d) Fraudulent use of a pass;

(e) Providing false information or documentation in the application for a state parks pass;

(f) Refusing to display or show the pass to park employees when requested; or

(g) Failing to provide current eligibility information upon request by the agency or when eligibility ceases or changes.

(8) This section shall not affect or otherwise impair the power of the commission to continue or discontinue any other programs it has adopted for senior citizens.

(9) The commission may engage in a mutually agreed upon reciprocal or discounted program for all or specific pass programs with other outdoor recreation agencies.

(10) The commission shall adopt those rules as it finds appropriate for the administration of this section. Among other things, the rules shall prescribe a definition of "camping unit" which will authorize a reasonable number of persons traveling with the person having a pass to stay at the campsite rented by such a person, a minimum Washington residency requirement for applicants for a senior citizen's pass, and an application form to be completed by applicants for a senior citizen's pass."

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

Representatives Wilcox and Hudgins spoke in favor of the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1203) and the amendment was adopted 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.

Amendment (1203) was adopted.

Representative Short moved the adoption of amendment (1216).

On page 3, after line 28, insert the following:

"(7) One complimentary discover pass must be provided each year to a volunteer firefighter who has completed coursework sponsored by the department of natural resources that allows the individual to participate in wildland fire suppression activities."

Representatives Short, Asay and Short (again) spoke in favor of the adoption of the amendment.

Representative Hudgins 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 (1216) 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, 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, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kenney, Kirby, Ladenburg, Lias, 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.

Amendment (1216) was not adopted.

Representative Orcutt moved the adoption of amendment (1207).

On page 5, beginning on line 31, after "(1)" strike all material through "commission." on line 34 and insert "~~(The)~~ A discover pass or ~~((the))~~ a day-use permit are not required for accessing a state park for persons who have one of the following:

(a) A valid camper registration~~((or))~~;

(b) An annual natural investment permit~~((s))~~ issued by the state parks and recreation commission; or

(c) A special license plate recognizing Washington state parks as approved in RCW 46.18.200 on the actual motor vehicle being used to access the state park."

On page 7, line 2, after "79A.80.040" insert "or for persons who display on the actual motor vehicle being used to access department of fish and wildlife lands a special license plate approved in RCW 46.18.200 that recognizes Washington's wildlife or wildlife viewing opportunities"

Representatives Orcutt, Wilcox and Orcutt (again) spoke in favor of the adoption of the amendment.

Representative Hudgins 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 (1207) 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, Blake, Buys, Carlyle, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Hope, Hurst, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Rodne, Ross, Schmick, Sells, Shea, Short, Smith, Taylor, Walsh, Warnick, Wilcox and Zeiger.

Voting nay: Representatives Appleton, Billig, 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, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Roberts, Ryu, Santos, Seaquist, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Amendment (1207) was not adopted.

Representative Johnson moved the adoption of amendment (1205).

On page 6, line 7, after "required" strike ", for persons" and insert "~~((s))~~ for ~~((persons))~~:"

(a) Persons"

On page 6, line 10, after "31st" insert "; and

(b) For persons when only visiting wildlife viewing areas designated by the department of fish and wildlife"

Representatives Johnson, Ross, Pearson, Armstrong, Wilcox, Taylor and Smith spoke in favor of the adoption of the amendment.

Representatives Hudgins, Dunshee and Van De Wege 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 (1205) and the amendment was not adopted by the following vote: Yeas, 46; Nays, 52; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Goodman, Haigh, Haler, Hargrove, Harris, Hinkle, Hope, Hurst, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, 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, Green, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kenney, Kirby, Ladenburg, Lias, 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.

Amendment (1205) was not adopted.

Representative Wilcox moved the adoption of amendment (1201).

On page 9, beginning on line 34, after "(3)" strike all material through "parks." on page 10, line 11 and insert: (a) The department shall collect from a vehicle owner who pays a vehicle license fee under RCW 46.17.350(1) (a), (d), (e), (g), (h), (j), (n), (o), or (q) or who registers a vehicle under RCW 46.16A.455 with a declared gross weight of ten thousand pounds or less a voluntary donation of five dollars to support Washington's state park system. The donation may not be collected from any vehicle owner actively opting not to participate in the donation program. The department shall ensure that the opt-out donation under this section is clear, visible, and prominently displayed in both paper and online vehicle registration renewals. Notification of intent to not participate in the donation program must be provided annually at the time of vehicle registration renewal.

(b) The department shall offer to collect from a vehicle owner who pays a vehicle license fee under RCW 46.17.350(1)(c), (f), (i), (k), (m), or (p) or who registers a vehicle under RCW 46.16A.455 with a declared gross weight of more than ten thousand pounds or less than twelve thousand pounds a voluntary donation of five dollars to support Washington's state park system. The donation may not be collected from any vehicle owner not actively opting to participate in the donation program. The department shall ensure that the opt-in donation under this section is clear, visible, and prominently displayed in both paper and online vehicle registration renewals. Notification of intent to participate in the donation program must be provided annually at the time of vehicle registration renewal."

Representatives Wilcox, Alexander and Parker spoke in favor of the adoption of the amendment.

Representative Hudgins 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 (1201) and the amendment was not adopted by the following vote: Yeas, 45; Nays, 53; Absent, 0; Excused, 0.

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

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

Amendment (1201) was not adopted.

Representative Wilcox moved the adoption of amendment (1202).

On page 14, beginning on line 1, strike all of section 14

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

Representatives Wilcox, Overstreet and Schmick spoke in favor of the adoption of the amendment.

Representative Hudgins 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 (1202) 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, Blake, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Eddy, Fagan, Haler, Hargrove, Harris, Hinkle, Hope, Hurst, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Takko, Taylor, Walsh, Warnick, Wilcox and Zeiger.

Voting nay: Representatives Appleton, Billig, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Jinkins, Kagi, 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, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Amendment (1202) was not adopted.

Representative Condotta moved the adoption of amendment (1211).

On page 15, after line 18, insert the following:

"NEW SECTION. Sec. 18. A new section is added to chapter 82.32 RCW to read as follows:

(1) By September 1, 2012, and by September 1st of every year thereafter, the department must estimate the amount of revenue collected for the prior fiscal year under RCW 67.28.180, 67.28.181, and 35.101.050 by a city, town, or county from sales of lodging services within any state park. The department must provide the estimate to the state treasurer.

(2) By October 1, 2012, and by October 1st of every year thereafter, the state treasurer must transfer the estimated amount provided by the department under subsection (1) of this section from the local sales and use tax account, and local tourism promotion account if applicable, to the state parks renewal and stewardship account created under RCW 79A.05.215. Money placed into the state parks renewal and stewardship account under this section may be used only for the maintenance and operation of state parks.

(3) The next scheduled distribution under RCW 82.14.060 or 35.101.100 to any city or county included within the estimate under subsection (1) of this section must be reduced by the amount of the estimate. The reduction in local sales and use tax distributions under this subsection (3) may be implemented over several months, but not to exceed six, at the request of the jurisdiction.

Sec. 19. RCW 82.14.060 and 2009 c 469 s 108 are each amended to read as follows:

(1)(a) Monthly, the state treasurer must distribute from the local sales and use tax account to the counties, cities, transportation authorities, public facilities districts, and transportation benefit districts the amount of tax collected on behalf of each taxing authority, less:

(i) The deduction provided for in RCW 82.14.050; ~~((and))~~

(ii) The amount of any refunds of local sales and use taxes exempted under RCW 82.08.962 and 82.12.962, which must be made without appropriation; and

(iii) Any reduction required under section 18 of this act.

(b) The state treasurer ~~((shall))~~ may make the distribution under this section without appropriation.

(2) In the event that any ordinance or resolution imposes a sales and use tax at a rate in excess of the applicable limits contained herein, such ordinance or resolution ~~((shall))~~ may not be considered void in toto, but only with respect to that portion of the rate which is in excess of the applicable limits contained herein.

Sec. 20. RCW 35.101.100 and 2003 c 148 s 10 are each amended to read as follows:

The local tourism promotion account is created in the custody of the state treasurer. Except for reductions required under section 18 of this act, all receipts from the charges for tourism promotion must be deposited into this account. Expenditures from the account may only be used for tourism promotion. The state treasurer shall distribute the money in the account on a monthly basis to the legislative authority on whose behalf the money was collected."

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

Correct the title.

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

Representative Wylie 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 (1211) and the amendment was adopted by the following vote: Yeas, 92; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, 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, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, 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, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Uptegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Goodman, Ladenburg, Ryu, Tharinger and Wylie.

Amendment (1211) was adopted.

Representative Dahlquist moved the adoption of amendment (1218).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 79A.80.020 and 2011 c 320 s 3 are each amended to read as follows:

(1) A discover pass is required for any motor vehicle to park or operate on any recreation site or lands, except for short-term parking as may be authorized under RCW 79A.80.070.

(2) The final cost of the discover pass ~~((is))~~ to the purchaser must be thirty dollars ((per motor vehicle)). Every four years the office of financial management must review the cost of the discover pass and, if necessary, recommend to the legislature an adjustment to the cost of the discover pass to account for inflation.

(3) The discover pass is valid for one year from the date of issuance.

(4) The discover pass must be made available for purchase throughout the year through the department of fish and wildlife's automated licensing system consistent with RCW 77.32.050.

(5) The discover pass must be made available for purchase through the department of licensing as provided in RCW 46.16A.090. The department of licensing, county auditor, or other agent or subagent appointed by the director, is not responsible for delivering a purchased discover pass to a motor vehicle owner. The agencies must deliver the purchased discover pass to a motor vehicle owner.

(6) The state parks and recreation commission may make the discover pass available for purchase through its reservation system and other outlets authorized by law to sell licenses, permits, or passes.

(7) The discover pass ~~((must contain space for the motor vehicle license plate number))~~ is transferable among motor vehicles registered at the same address.

(8) A complimentary discover pass must be provided to a volunteer who performed twenty-four hours of service on agency-sanctioned volunteer projects in a year. The agency must provide vouchers to volunteers identifying the number of volunteer hours they have provided for each project. The vouchers may be brought to an agency to be redeemed for a discover pass.

Sec. 2. RCW 79A.80.030 and 2011 c 320 s 4 are each amended to read as follows:

(1) A person may purchase a day-use permit to meet the requirements of RCW 79A.80.080. The day-use permit ~~((is))~~ must be sold for a final price of ten dollars per day and must be available for

purchase from each agency. The day-use permit is valid for one calendar day.

(2) The agencies may provide short-term parking under RCW 79A.80.070 where the day-use permit is not required.

(3) Every four years the office of financial management must review the cost of the day-use permit and, if necessary, recommend to the legislature an adjustment to the cost of the day-use permit to account for inflation.

Sec. 3. RCW 79A.80.040 and 2011 c 320 s 5 are each amended to read as follows:

(1) The vehicle access pass is created solely for access to the department of fish and wildlife recreation sites or lands. The vehicle access pass is only available to a person who purchases a current valid: Big game hunting license issued under RCW 77.32.450; small game hunting license issued under RCW 77.32.460; western Washington pheasant permit issued under RCW 77.32.575; trapping license issued under RCW 77.65.450; watchable wildlife decal issued under RCW 77.32.560; or combination, saltwater, or freshwater personal use fishing license issued under RCW 77.32.470.

(2) One vehicle access pass must be issued per purchase pursuant to subsection (1) of this section which may be used among motor vehicles registered at the same address.

(3) The vehicle access pass is valid for the license year of the license it is purchased with.

Sec. 4. RCW 77.32.050 and 2011 c 339 s 5 are each amended to read as follows:

(1) All recreational and commercial licenses, permits, tags, stamps, and raffle tickets shall be issued under the authority of the commission. The commission shall adopt rules for the issuance of licenses, permits, tags, stamps, and raffle tickets, and for the collection, payment, and handling of license fees, including terms and conditions to govern dealers, and dealer fees. A transaction fee on commercial and recreational documents issued through an automated licensing system may be set by the commission and collected from licensees. The department may authorize all or part of such fee to be paid directly to a contractor providing automated licensing system services. The department and dealers shall collect and retain dealer fees of at least two dollars for purchase of a standard hunting or fishing recreational license document or commercial license document, except that:

(a) The commission may set a lower dealer fee for issuance of tags or when a licensee buys a license that involves a stamp or display card format rather than a standard department licensing document form; and

(b) No dealer fees may be collected for the issuance of a discover pass or day-use permit, as those terms are defined in RCW 79A.80.010. Dealer fees must be uniform throughout the state.

(2) Until September 1, 2011, the department shall charge an additional transaction fee of ten percent on all recreational licenses, permits, tags, stamps, or raffle tickets. These transaction fees must be deposited into the state wildlife account, created in RCW 77.12.170, for funding fishing and hunting opportunities for recreational license holders.

(3) The application fee is waived for all commercial license documents that are issued through the automated licensing system."

Correct the title.

Representatives Dahlquist, Smith and Hurst spoke in favor of the adoption of the striking amendment.

Representative Hudgins spoke against the adoption of the striking amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1218) and the amendment was not adopted by the following vote: Yeas, 48; Nays, 50; Absent, 0; Excused, 0.

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

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

Amendment (1218) was not adopted.

The bill was ordered engrossed.

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

Representatives Van De Wege, Seaquist, Hudgins and Takko spoke in favor of the passage of the bill.

Representatives Dahlquist, Wilcox, Ahern, Orcutt, Hurst, Zeiger and Overstreet spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2373.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2373, and the bill passed the House by the following vote: Yeas, 54; Nays, 44; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Billig, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kenney, Kirby, Klippert, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Nealey, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, 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, Anderson, Angel, Armstrong, Asay, Bailey, Blake, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Eddy, Fagan, Haler, Hargrove, Harris, Hinkle, Hope, Hurst, Johnson, Kelley, Kretz, Kristiansen, McCune, Orcutt, Overstreet, Parker, Pearson, Probst, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Warnick, Wilcox and Zeiger.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2373, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5631, by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Swecker, Hatfield, Haugen and Shin)

Concerning miscellaneous provisions regulated by the department of agriculture. Revised for 1st Substitute: Removing obsolete provisions in statutes administered by the department of agriculture.

The bill was read the second time.

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

Representatives Blake and Buys 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 Senate Bill No. 5631.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5631, 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 SENATE BILL NO. 5631, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 6157, by Senators Delvin, Hargrove, Stevens, Benton, Ericksen and Parlette

Requiring juvenile detention intake standards for juveniles who are developmentally disabled.

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 Roberts 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 Senate Bill No. 6157.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6157, 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.

SENATE BILL NO. 6157, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 6175, by Senators Pridemore, Swecker, Prentice, Shin, Sheldon, Kline and Chase

Establishing a government-to-government relationship between state government and federally recognized Indian tribes.

The bill was read the second time.

Representative Taylor moved the adoption of amendment (1236).

On page 2, after line 16, insert the following:

"(4) Tracking and recording any funds, grants, or other public resources expended by the agency in the course of developing and maintaining the agency's relationship with a tribe in accordance with the requirements of this act. The tribal liaison must provide the governor and the appropriate committees of the legislature with an annual accounting of such expenditures."

Representatives Taylor, Anderson and Shea spoke in favor of the adoption of the amendment.

Representative Hunt spoke against the adoption of the amendment.

Amendment (1236) was not adopted.

Representative Taylor moved the adoption of amendment (1235).

On page 2, after line 24, insert the following:

"(4) Legal training regarding the drafting of contracts pertaining to the provision of services or funding by the state to a tribe. The training must be designed to ensure that the terms of such contracts preclude a tribe from asserting a claim of sovereign immunity in the event of a contractual dispute."

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

Representative Hunt spoke against the adoption of the amendment.

Amendment (1235) was not adopted.

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

Representative McCoy spoke in favor of the passage of the bill.

Representatives Taylor and Anderson spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 6175.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6175, and the bill passed the House by the following vote: Yeas, 72; Nays, 26; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Asay, Bailey, Billig, Blake, Carlyle, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Lias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Ryu, Santos, Seaquist, Sells, Smith, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Ahern, Anderson, Armstrong, Buys, Chandler, Condotta, DeBolt, Fagan, Haler, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Parker, Pearson, Rodne, Ross, Schmick, Shea, Short and Taylor.

SENATE BILL NO. 6175, having received the necessary constitutional majority, was declared passed.

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

SUBSTITUTE SENATE BILL NO. 6187, by Senate Committee on Judiciary (originally sponsored by Senators Pflug, Harper and Frockt)

Concerning claims against the state and governmental entities arising out of tortious conduct. Revised for 1st Substitute: Concerning health care claims against state and governmental health care providers arising out of tortious conduct.

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6187.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6187, 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 SENATE BILL NO. 6187, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 6296, by Senators Harper, Carrell and Shin

Modifying background check provisions.

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 Hurst and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 6296.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6296, 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.

ENGROSSED SENATE BILL NO. 6296, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6355, by Senate Committee on Economic Development, Trade & Innovation (originally sponsored by Senators Rolfes, Kastama and Chase)

Concerning associate development organizations.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Community & Economic Development & Housing was adopted. (For Committee amendment, see Journal, Day 44, February 21, 2012).

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

Representatives Kenney and Smith spoke in favor of the passage of the bill.

Representative Hinkle spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6355, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6355, as amended by the House, and the bill passed the House by the following vote: Yeas, 83; Nays, 15; Absent, 0; Excused, 0.

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

Voting nay: Representatives Ahern, Armstrong, Chandler, Condotta, Crouse, DeBolt, Hinkle, Kretz, Kristiansen, McCune, Overstreet, Parker, Shea, Short and Taylor.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6355, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 6385, by Senators Parlette, Fraser, Morton, Ranker and Shin

Extending the tenure of the habitat and recreation lands coordinating group.

The bill was read the second time.

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

Representative Stanford spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 6385.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6385, 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, 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, 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 Overstreet, Shea and Taylor.

SENATE BILL NO. 6385, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6423, by Senate Committee on Transportation (originally sponsored by Senators King and Holmquist Newbry)

Concerning the definition of farm vehicle.

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 Johnson and Billig spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6423.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6423, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; 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, 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.

Voting nay: Representative Hasegawa.

SUBSTITUTE SENATE BILL NO. 6423, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 6465, by Senators Holmquist Newbry and Kohl-Welles

Concerning raffles exceeding five thousand dollars.

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 Taylor and Green spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 6465.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6465, 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.

SENATE BILL NO. 6465, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6472, by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Harper, Honeyford, Kline and Shin)

Concerning disclosure of carbon monoxide alarms in real estate transactions.

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6472.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6472, 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 SENATE BILL NO. 6472, having received the necessary constitutional majority, was declared passed.

THIRD READING

There being no objection, the rules were suspended, and ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5292 was returned to second reading for the purpose of amendment.

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

SECOND READING

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5292, by Senate Committee on Government Operations, Tribal Relations & Elections (originally sponsored by Senators Honeyford, Schoesler, Swecker, Holmquist Newbry and Roach)

Exempting irrigation and drainage ditches from the definition of critical areas. Revised for 2nd Substitute: Exempting certain structures that are constructed and maintained by irrigation districts and port districts from the definition of critical areas.

The bill was read the second time.

There being no objection, the committee amendment was not adopted.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5292.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5292, 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.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5292, having received the necessary constitutional majority, was declared passed.

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

MESSAGES FROM THE SENATE

February 28, 2012

MR. SPEAKER:

The Senate has passed:

HOUSE BILL NO. 2362
SUBSTITUTE HOUSE BILL NO. 2367

and the same are herewith transmitted.

Thomas Hoemann, Secretary

February 28, 2012

MR. SPEAKER:

The President has signed:

SENATE BILL NO. 5259
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5620
SUBSTITUTE SENATE BILL NO. 5627
SENATE BILL NO. 5913
SUBSTITUTE SENATE BILL NO. 6005
SENATE BILL NO. 6030
SUBSTITUTE SENATE BILL NO. 6100
SENATE BILL NO. 6108
SUBSTITUTE SENATE BILL NO. 6121
ENGROSSED SENATE BILL NO. 6141

SENATE BILL NO. 6172
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6251
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6252
 SUBSTITUTE SENATE BILL NO. 6258
 SENATE BILL NO. 6289
 SUBSTITUTE SENATE BILL NO. 6295
 SUBSTITUTE SENATE BILL NO. 6315
 SENATE BILL NO. 6566
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 8016

and the same are herewith transmitted.

Thomas Hoemann, Secretary

SECOND READING

HOUSE BILL NO. 2127, by Representative Hunter

Making 2011-2013 fiscal biennium supplemental operating appropriations.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2127 was substituted for House Bill No. 2127 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2127 was read the second time.

With the consent of the house, amendments (1223) and (1221) were withdrawn.

Representative Hunter moved the adoption of amendment (1228).

On page 20, line 15, increase the General Fund-State appropriation for FY 2012 by \$48,000

On page 20, line 17, increase the General Fund-State appropriation for FY 2013 by \$379,000

On page 21, line 21, correct the total appropriation

On page 110, line 19, increase the General Fund-State appropriation for FY 2012 by \$1,289,000

On page 110, line 21, increase the General Fund-State appropriation for FY 2013 by \$2,040,000

On page 112, line 5, correct the total appropriation

On page 115, line 35, increase the General Fund-State appropriation for FY 2012 by \$117,000

On page 115, line 37, increase the General Fund-State appropriation for FY 2013 by \$252,000

On page 116, line 11, correct the total appropriation

On page 116, line 35, increase the General Fund-State appropriation for FY 2013 by \$1,000,000

On page 117, line 1, correct the total appropriation

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

Representatives Taylor, Alexander, Klippert, Hinkle and Orcutt spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Moeller presiding) divided the House. The result was 55 - YEAS; 43 - NAYS.

Amendment (1228) was adopted.

Representative Probst moved the adoption of amendment (1222).

On page 25, line 32, increase the general fund--state appropriation for fiscal year 2013 by \$23,000

On page 26, line 14, correct the total.

On page 28, after line 4, insert the following:

"(5) \$23,000 of the general fund-state appropriation for fiscal year 2013 is provided solely for the office of regulatory assistance to implement the following:

(a) Coordination of an agency small business liaison team to assist small businesses with permitting and regulatory issues. The small business liaison team, as part of the biennial report submitted by the office of regulatory assistance, must provide recommendations for improvements to inspection and compliance practices and ways to improve customer service for regulatory agencies. The office must work with regulatory agencies to: (i) Assure that additional violations or corrective actions that could have been discovered and noted in the original violation or correction notice are not subsequently added and to provide a single list of any violations discovered during the regulatory visit or inspection; (ii) provide notice about when the business may expect the results of a technical assistance or regulatory visit; (iii) provide information about how the business may provide anonymous feedback regarding a technical assistance or other regulatory visit; and (iv) provide information regarding the role of the agency's small business liaison as a neutral party within the agency, as well as contact information for the liaison.

(b) In coordination with regulatory agencies, development of an anonymous customer service survey that regulated entities may complete after an inspection or a technical assistance visit under chapter 43.05 RCW, or a consultative visit under RCW 49.17.250. The survey must include questions addressing the points in this subsection (b) but may be designed in a way that best serves the needs of the multiple agencies and customers that will be using the survey. The survey must provide a way of identifying the agency that performed the inspection, and if possible within the resources allowed, provide a means of identifying the inspector who provided services. Questions should address the following topics:

(i) Whether staff were helpful, friendly, listened to the regulated party, used professional judgment, and communicated clearly;

(ii) Whether the inspector viewed the customer as a partner, worked on a cooperative relationship, and worked on innovative solutions;

(iii) Whether the inspector informed the customer why the customer received a site visit or inspection, described the site visit or inspection process, answered questions about the process, and explained regulatory requirements; and

(iv) Whether the inspector was knowledgeable about the businesses operations and provided useful technical information.

The survey must be available on the office web site. The results of the surveys must be summarized, by agency, in a report and forwarded to the agency director, the governor, and the appropriate committees of the legislature. Each agency shall receive a copy of all relevant survey information. No identifying information may be included that would reveal the identity of the respondent."

On page 235, after line 14, insert the following:

"NEW SECTION, Sec. 927. It is the intent of the legislature that regulatory agencies receiving appropriations in this act work with the office of regulatory assistance to:

(1) Establish a small business liaison team to assist small businesses with permitting and regulatory issues.

(2) Take action to assure that additional violations or corrective actions that could have been discovered and noted in the original violation or correction notice are not subsequently added and to provide a single list of any violations discovered during the regulatory visit or inspection;

(3) Provide notice about when the business may expect the results of a technical assistance or regulatory visit;

(4) Provide information about how the business may provide anonymous feedback regarding a technical assistance or other regulatory visit; and

(5) Provide information regarding the role of the agency's small business liaison as a neutral party within the agency, as well as contact information for the liaison."

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

Representatives Probst, Sullivan and Van De Wege spoke in favor of the adoption of the amendment.

Representatives Taylor, Overstreet, Orcutt, Buys, Harris, Parker, Shea and Ross spoke against the adoption of the amendment.

Amendment (1222) was not adopted.

Representative Hunt moved the adoption of amendment (1225).

On page 31, after line 36, insert the following:

"The appropriations in this section are subject to the following conditions and limitations:

(1) (a) The Legislature intends to facilitate the orderly transition of liquor services as required by Initiative 1183. For liquor control board employees that remain through June 15, 2012, a temporary exception to the sick leave cash out rules is provided to assist the unique challenges to the liquor control board and its employees posed by this transition.

(b) Within the amounts appropriated in this section from the liquor revolving account—state appropriation, liquor control board employees who: (1) occupy positions that will be eliminated after the liquor control board ceases to distribute liquor, and (2) remain as more than one-half time of full time employees through June 15, 2012, may elect to receive remuneration at a rate equal to one day's current monetary compensation of the employee for each four full days of accrued sick leave."

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

Amendment (1225) was adopted.

Representative Hinkle moved the adoption of amendment (1231).

Beginning on page 48, line 19, strike all of section 204 and insert the following:

"**Sec. 204.** 2011 2nd sp.s. c 9 s 204 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES/REGIONAL SUPPORT NETWORKS

General Fund--State Appropriation (FY 2012) (~~(\$317,392,000)~~)
\$316,380,000

General Fund--State Appropriation (FY 2013) (~~(\$322,982,000)~~)
\$320,482,000

General Fund--Federal Appropriation (~~(\$448,732,000)~~)
\$449,801,000

General Fund--Private/Local Appropriation \$17,864,000
Hospital Safety Net Assessment Fund--State

Appropriation (~~(\$6,802,000)~~)

\$5,251,000

TOTAL APPROPRIATION (~~(\$1,113,772,000)~~)

\$1,109,778,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) (~~(\$109,342,000)~~) \$107,988,000 of the general fund--state appropriation for fiscal year 2012 and (~~(\$109,341,000)~~) \$106,091,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for persons and services not covered by the medicaid program. This is a reduction (~~(of \$4,348,000 each fiscal year)~~) from the nonmedicaid funding that was allocated for expenditure by regional support networks during fiscal year 2011 prior to supplemental budget reductions. This (~~(\$4,348,000)~~) reduction shall be distributed among regional support networks proportional to each network's share of the total state population. To the extent possible, levels of regional support network spending shall be maintained in the following priority order: (i) Crisis and commitment services; (ii) community inpatient services; and (iii) residential care services, including personal care and emergency housing assistance.

(b) \$6,590,000 of the general fund--state appropriation for fiscal year 2012, \$6,590,000 of the general fund--state appropriation for fiscal year 2013, and \$7,620,000 of the general fund--federal appropriation are provided solely for the department and regional support networks to continue to contract for implementation of high-intensity programs for assertive community treatment (PACT) teams. In determining the proportion of medicaid and nonmedicaid funding provided to regional support networks with PACT teams, the department shall consider the differences between regional support networks in the percentages of services and other costs associated with the teams that are not reimbursable under medicaid. The department may allow regional support networks which have nonmedicaid reimbursable costs that are higher than the nonmedicaid allocation they receive under this section to supplement these funds with local dollars or funds received under section 204(1)(a) of this act. The department and regional support networks shall maintain consistency with all essential elements of the PACT evidence-based practice model in programs funded under this section.

(c) \$5,850,000 of the general fund--state appropriation for fiscal year 2012, \$5,850,000 of the general fund--state appropriation for fiscal year 2013, and \$1,300,000 of the general fund--federal appropriation are provided solely for the western Washington regional support networks to provide either community- or hospital campus-based services for persons who require the level of care previously provided by the program for adaptive living skills (PALS) at western state hospital.

(d) The number of nonforensic beds allocated for use by regional support networks at eastern state hospital shall be 192 per day. The number of nonforensic beds allocated for use by regional support networks at western state hospital shall be 557 per day through June 2012, 527 per day from July 2012 through September 2012, and 497 per day from October 2012 through the end of fiscal year 2013.

(e) From the general fund--state appropriations in this subsection, the secretary of social and health services shall assure that regional support networks reimburse the aging and disability services administration for the general fund--state cost of medicaid personal care services that enrolled regional support network consumers use because of their psychiatric disability.

(f) \$4,582,000 of the general fund--state appropriation for fiscal year 2012 and \$4,582,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for mental health services for mentally ill offenders while confined in a county or city jail and for facilitating access to programs that offer mental health services upon release from confinement.

(g) The department is authorized to continue to contract directly, rather than through contracts with regional support networks, for children's long-term inpatient facility services.

(h) \$750,000 of the general fund--state appropriation for fiscal year 2012 and \$750,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to continue performance-based incentive contracts to provide appropriate community support services for individuals with severe mental illness who were discharged from the state hospitals as part of the expanding community services initiative. These funds will be used to enhance community residential and support services provided by regional support networks through other state and federal funding.

(i) \$1,125,000 of the general fund--state appropriation for fiscal year 2012 and \$1,125,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the Spokane regional support network to implement services to reduce utilization and the census at eastern state hospital. Such services shall include:

(i) High intensity treatment team for persons who are high utilizers of psychiatric inpatient services, including those with co-occurring disorders and other special needs;

(ii) Crisis outreach and diversion services to stabilize in the community individuals in crisis who are at risk of requiring inpatient care or jail services;

(iii) Mental health services provided in nursing facilities to individuals with dementia, and consultation to facility staff treating those individuals; and

(iv) Services at the sixteen-bed evaluation and treatment facility.

At least annually, the Spokane regional support network shall assess the effectiveness of these services in reducing utilization at eastern state hospital, identify services that are not optimally effective, and modify those services to improve their effectiveness.

(j) \$1,529,000 of the general fund--state appropriation for fiscal year 2012 and \$1,529,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to reimburse Pierce and Spokane counties for the cost of conducting 180-day commitment hearings at the state psychiatric hospitals.

(k) Regional support networks may use local funds to earn additional federal medicaid match, provided the locally matched rate does not exceed the upper-bound of their federally allowable rate range, and provided that the enhanced funding is used only to provide medicaid state plan or waiver services to medicaid clients. Additionally, regional support networks may use a portion of the state funds allocated in accordance with (a) of this subsection to earn additional medicaid match, but only to the extent that the application of such funds to medicaid services does not diminish the level of crisis and commitment, community inpatient, residential care, and outpatient services presently available to persons not eligible for medicaid.

(l) Given the recent approval of federal medicaid matching funds for the disability lifeline and the alcohol and drug abuse treatment support act programs, the department shall charge regional support networks for only the state share rather than the total cost of community psychiatric hospitalization for persons enrolled in those programs.

(m) \$750,000 of the general fund--state appropriation for fiscal year 2012, \$750,000 of the general fund--state appropriation for fiscal year 2013, and \$1,500,000 of the general fund--federal appropriation are provided solely to adjust regional support network capitation rates to account for the per diem rates actually paid for psychiatric care provided at hospitals participating in the certified public expenditure program operated pursuant to section 213 of this act.

(2) INSTITUTIONAL SERVICES

General Fund--State Appropriation (FY 2012) (~~(\$115,317,000)~~)
\$115,146,000

General Fund--State Appropriation (FY 2013) (~~(\$114,111,000)~~)
\$108,574,000

General Fund--Federal Appropriation (~~(\$153,324,000)~~)
\$154,002,000

General Fund--Private/Local Appropriation (~~(\$67,325,000)~~)
\$67,416,000
 TOTAL APPROPRIATION (~~(\$450,077,000)~~)
\$445,138,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) The state psychiatric hospitals may use funds appropriated in this subsection to purchase goods and supplies through hospital group purchasing organizations when it is cost-effective to do so.

(b) \$231,000 of the general fund--state appropriation for fiscal year 2012 and \$231,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for a community partnership between western state hospital and the city of Lakewood to support community policing efforts in the Lakewood community surrounding western state hospital. The amounts provided in this subsection (2)(b) are for the salaries, benefits, supplies, and equipment for one full-time investigator, one full-time police officer, and one full-time community service officer at the city of Lakewood.

(c) \$45,000 of the general fund--state appropriation for fiscal year 2012 and \$45,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for payment to the city of Lakewood for police services provided by the city at western state hospital and adjacent areas.

(d) \$20,000,000 of the general fund--state appropriation for fiscal year 2012 and \$20,000,000 of the general fund--state appropriation for fiscal year 2013 are provided solely to maintain staffed capacity to serve an average daily census in forensic wards at western state hospital of 270 patients per day.

(3) SPECIAL PROJECTS

General Fund--State Appropriation (FY 2012) \$1,168,000
 General Fund--State Appropriation (FY 2013) (~~(\$1,164,000)~~)
\$1,726,000
 General Fund--Federal Appropriation \$4,109,000
 General Fund--Private/Local Appropriation \$700,000
 TOTAL APPROPRIATION (~~(\$7,141,000)~~)
\$7,703,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$1,161,000 of the general fund--state appropriation for fiscal year 2012 and \$1,161,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for children's evidence based mental health services. Funding is sufficient to continue serving children at the same levels as fiscal year 2009.

(b) \$700,000 of the general fund--private/local appropriation is provided solely for the University of Washington's evidence based practice institute which supports the identification, evaluation, and implementation of evidence-based or promising practices for serving children and youth with mental health disorders. The department shall enter into an interagency agreement with the office of the attorney general for expenditure of \$700,000 of the state's proceeds of the *cy pres* settlement in *State of Washington v. AstraZeneca (Seroquel)* for this purpose.

(c) \$55,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for the department to contract with the evidence-based practice institute to consult with the department and the Washington state institute for public policy in efforts to identify and expand the use of evidence-based practices for mental health prevention and treatment services to children in accordance with Engrossed Second Substitute House Bill No. 2536 (children services/delivery). Funding provided in this subsection may not be used to pay for costs of the director of the institute and shall lapse if Engrossed Second Substitute House Bill No. 2536 (children services/delivery) is not enacted by June 30, 2012.

(d) \$509,000 of the general fund--state appropriation for fiscal year 2013 is provided solely for training costs associated with implementation of Engrossed Second Substitute House Bill No. 2536 (children services/delivery). The amounts provided in this subsection must be used for coordinated evidence-based practice training to programs providing mental health, child welfare, and juvenile justice services to children. If Engrossed Second Substitute House Bill No. 2536 (children services/delivery) is not enacted by June 30, 2012, the amount provided in this subsection shall lapse.

(4) PROGRAM SUPPORT

General Fund--State Appropriation (FY 2012) (~~(\$4,476,000)~~)
\$4,486,000
 General Fund--State Appropriation (FY 2013) (~~(\$4,261,000)~~)
\$4,385,000
 General Fund--Federal Appropriation (~~(\$7,227,000)~~)
\$7,309,000
 General Fund--Private/Local Appropriation \$446,000
 TOTAL APPROPRIATION (~~(\$16,410,000)~~)
\$16,626,000

(a) The appropriations in this subsection are subject to the following conditions and limitations: In accordance with RCW 43.20B.110, 43.135.055, and 71.24.035, the department is authorized to increase license and certification fees in fiscal years 2012 and 2013 to support the costs of the regulatory program. The fee schedule increases must be developed so that the maximum amount of additional fees paid by providers statewide in the 2011-2013 fiscal biennium is \$446,000. The department's fee schedule shall have differential rates for providers with proof of accreditation from organizations that the department has determined to have substantially equivalent standards to those of the department, including but not limited to the joint commission on accreditation of health care organizations, the commission on accreditation of rehabilitation facilities, and the council on accreditation. To reflect the reduced costs associated with regulation of accredited programs, the department's fees for organizations with such proof of accreditation must reflect the lower costs of licensing for these programs than for other organizations which are not accredited.

(b) \$19,000 of the general fund--state appropriation for fiscal year 2012, \$17,000 of the general fund--state appropriation for fiscal year 2013, and \$34,000 of the general fund--federal appropriation are provided solely to support a partnership among the department of social and health services, the department of health, and agencies that deliver medical care and behavioral health services in Cowlitz county. The partnership shall identify and recommend strategies for resolving regulatory, licensing, data management, reporting, and funding barriers to more effective integration of primary medical and behavioral health care services in the county.

(c) \$105,000 of the general fund--state appropriation for fiscal year 2013 and \$68,000 of the general fund--federal appropriation are provided solely for staffing costs associated with implementation of Engrossed Second Substitute House Bill No. 2536 (children services/delivery). The amounts provided in this subsection must be used for coordinated evidence-based practice implementation amongst the department's programs providing mental health, child welfare, and juvenile justice services to children. If Engrossed Second Substitute House Bill No. 2536 (children services/delivery) is not enacted by June 30, 2012, the amounts provided in this subsection shall lapse.

On page 208, after line 25, insert the following:

"**NEW SECTION. Sec. 724.** A new section is added to 2011 1st sp.s. c 50 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT--GOODS AND SERVICES

General Fund--State Appropriation (FY 2012) (\$1,644,000)

General Fund--State Appropriation (FY 2013) (\$6,580,000)
 TOTAL APPROPRIATION (\$8,224,000)

The appropriations in this section are solely for the purposes designated in this section and are subject to the following conditions and limitations:

(1) Appropriations are adjusted to reflect savings associated with a 10 percent reduction in expenditures related to goods and services.

(2) The office of financial management shall update agency appropriation schedules to reflect the changes to funding levels in this section as identified by agency and in the amounts specified in LEAP Document HW2-2012 dated February 17, 2012.

(3) For agencies with appropriations from accounts other than the general fund--state, the office of financial management shall work with agencies to achieve potential savings in other accounts.

NEW SECTION. Sec. 725. A new section is added to 2011 1st sp.s. c 50 (uncodified) to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT--PERSONAL SERVICE CONTRACTS

General Fund--State Appropriation (FY 2012) (\$1,076,000)

General Fund--State Appropriation (FY 2013) (\$4,311,000)

TOTAL APPROPRIATION (\$5,387,000)

The appropriations in this section are solely for the purposes designated in this section and are subject to the following conditions and limitations:

(1) Appropriations are adjusted to reflect savings associated with a 20 percent reduction in expenditures related to personal service contracts.

(2) The office of financial management shall update agency appropriation schedules to reflect the changes to funding levels in this section as identified by agency and in the amounts specified in LEAP Document PSC-2012 dated February 17, 2012.

(3) For agencies with appropriations from accounts other than the general fund--state, the office of financial management shall work with agencies to achieve potential savings in other accounts."

Correct the title.

Representatives Hinkle, Schmick, Bailey, Angel, Short, Ahern, Hinkle (again) Walsh, Kristiansen and Smith spoke in favor of the adoption of the amendment.

Representative Cody spoke against the adoption of the amendment.

Amendment (1231) was not adopted.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which amendment 1222 to ENGROSSED SUBSTITUTE HOUSE BILL NO 2127 passed the House.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1222) and the amendment was adopted by the following vote: Yeas, 55; Nays, 42; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Lias, 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, Asay, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Eddy, Fagan, Haler, Hargrove, Harris, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh, Warnick, Wilcox and Zeiger.

Amendment (1222) was not adopted.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which amendment 1231 to ENGROSSED SUBSTITUTE HOUSE BILL NO. 2127 passed the House.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1231) and the amendment was not adopted by the following vote: Yeas, 42; Nays, 56; 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, Johnson, Klippert, Kretz, Kristiansen, McCune, 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, Hurst, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Lias, 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.

Amendment (1231) was not adopted.

Representative Schmick moved the adoption of amendment (1229).

Beginning on page 55, line 34, strike all of section 205 and insert the following:

"Sec. 205. 2011 2nd sp.s. c 9 s 205 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund--State Appropriation (FY 2012) (~~(\$418,815,000)~~)

\$411,247,000

General Fund--State Appropriation (FY 2013) (~~(\$422,854,000)~~)

\$419,814,000

General Fund--Federal Appropriation (~~(\$743,532,000)~~)

\$778,974,000

General Fund--Private/Local Appropriation \$184,000

TOTAL APPROPRIATION (~~(\$1,585,385,000)~~)

\$1,610,219,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) Amounts appropriated in this subsection reflect a reduction to funds appropriated for in-home care. The department shall reduce the number of in-home hours authorized. The reduction shall be scaled based on the acuity level of care recipients. The largest hour reductions shall be to lower acuity patients and the smallest hour reductions shall be to higher acuity patients.

(c) Amounts appropriated in this subsection are sufficient to develop and implement the use of a consistent, statewide outcome-based vendor contract for employment and day services by July 1, 2012. The rates paid to vendors under this contract shall also be made consistent. In its description of activities the agency shall include activity listings and dollars appropriated for: Employment services, day services, child development services and county administration of services to the developmentally disabled. The department shall begin reporting to the office of financial management on these activities beginning in fiscal year 2010.

(d) \$944,000 of the general fund--state appropriation for fiscal year 2012, \$944,000 of the general fund--state appropriation for fiscal year 2013, and \$1,888,000 of the general fund--federal appropriation are provided solely for state contributions for individual provider health care benefits. Pursuant to the collective bargaining agreement negotiated with the exclusive bargaining representative of individual providers established under RCW 74.39A.270, the state shall contribute to the multiemployer health benefits trust fund (~~(\$1.96)~~) \$2.21 per paid hour worked by individual providers.

(e) (~~(\$1,871,000 of the general fund--state appropriation for fiscal year 2012, \$1,995,000 of the general fund--state appropriation for fiscal year 2013, and \$3,865,000 of the general fund--federal appropriation are provided solely for home care agencies to purchase health coverage for home care providers. The department shall calculate and distribute payments for health care benefits to home care agencies at \$558 per month for each worker who cares for publicly funded clients at 86 hours or more per month. In order to negotiate the most comprehensive health benefits package for its employees, each agency may determine benefit levels according to the hours an employee works providing state funded personal care. Health benefits shall be offered to all employees who care for publicly funded clients for 86 hours per month or more. At a minimum, employees who care for publicly funded clients at 140 hours a month or greater must receive a comprehensive medical benefit. Benefits shall not be provided to employees who care for publicly funded clients at 85 hours or less per month or as interim respite workers. The department shall not pay an agency for benefits provided to an employee who otherwise receives health care coverage through other family members, other employment based coverage, or military or veteran's coverage. The department shall require annually, each home care agency to review each of its employee's available health coverage and to provide a written declaration to the department verifying that health benefits purchased with public funds are solely for employees that do not have other available coverage. Home care agencies may determine a reasonable employee co premium not to exceed 20 percent of the total benefit cost.~~) ~~(f)~~ \$1,127,000 of the general fund--state appropriation for fiscal year 2012, \$1,199,000 of the general fund--state appropriation for fiscal year 2013, and \$2,322,000 of the general fund--federal appropriation are provided solely for the state's contribution to the training partnership, as provided in RCW 74.39A.360, for instructional costs associated with the training of individual providers. House Bill No. 1548 and Senate Bill No. 5473 (long-term care worker requirements) make statutory changes to the increased

training requirements and therefore the state shall contribute to the partnership \$0.17 per paid hour worked by all home care workers. This amount is pursuant to the collective bargaining agreement negotiated with the exclusive bargaining representative of individual providers established under RCW 74.39A.270. Expenditures for the purposes specified in this subsection shall not exceed the amounts provided in this subsection.

((g)) (f)(i) Within the amounts appropriated in this subsection, the department shall revise the current working age adult policy to allow clients to choose between employment and community access activities. Clients age 21 and older who are receiving services through a home- and community-based medicaid waiver shall be offered the choice to transition to a community access program after nine months of enrollment in an employment program, and the option to transition from a community access program to an employment program at any time. The department shall inform clients and their legal representatives of all available options for employment and day services. Information provided to the client and the client's legal representative shall include the types of activities each service option provides, and the amount, scope, and duration of service for which the client would be eligible under each service option. An individual client may be authorized for only one service option, either employment services or community access services. Clients may not participate in more than one of these services at any given time.

(ii) The department shall work with counties and stakeholders to strengthen and expand the existing community access program. The program must emphasize support for the client so they are able to participate in activities that integrate them into their community and support independent living and skills.

(iii) The appropriation in this subsection includes funding to provide employment or community access services to 168 medicaid eligible young adults with developmental disabilities living with their families who need employment opportunities and assistance after high school graduation.

((h)) (g) \$75,000 of the general fund--state appropriation for fiscal year 2012 and \$75,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the restoration of direct support to local organizations that utilize parent-to-parent networks and communication to promote access and quality of care for individuals with developmental disabilities and their families.

((i)) (h) In accordance with Engrossed Substitute House Bill No. 1277 (licensed settings for vulnerable adults), adult family home license fees are increased in fiscal years 2012 and 2013 to support the costs of conducting licensure, inspection, and regulatory programs.

(i) The current annual renewal license fee for adult family homes shall be increased to \$100 per bed beginning in fiscal year 2012 and \$175 per bed beginning in fiscal year 2013. Adult family homes shall receive a corresponding vendor rate increase per medicaid patient day of \$0.22 in fiscal year 2012 and \$0.43 in fiscal year 2013 to cover the cost of the license fee increase for publicly funded beds.

(ii) Beginning in fiscal year 2012, a processing fee of \$2,750 shall be charged to each adult family home when the home is initially licensed. This fee is nonrefundable.

((j)) (i) Clients with developmental disabilities have demonstrated a need and a desire for a day services program as verified by over 900 clients currently accessing day programs through a long-term care service model. In addition, every individual, to include those with a developmental disability, should have the opportunity for meaningful employment which allows them to contribute to their communities and to become as self-sufficient as possible. Providing choice empowers recipients of publicly funded services and their families by expanding their degree of control over the services and supports they need.

The department shall work with legislators and stakeholders to develop a new approach to employment and day services. The objective of this plan is to ensure that adults with developmental

disabilities have optimum choices, and that employment and day offerings are comprehensive enough to meet the needs of all clients currently served on a home and community based waiver. The proposal shall be submitted to the 2012 legislature for consideration and shall be constructed such that a client ultimately receives employment, community access, or the community day option but not more than one service at a time. The proposal shall include options for program efficiencies within the current employment and day structure and shall provide details on the plan to implement a consistent, statewide outcome-based vendor contract for employment and day services as specified in (c) of this subsection.

(2) INSTITUTIONAL SERVICES

General Fund--State Appropriation (FY 2012) (~~(\$80,815,000)~~)
\$80,937,000

General Fund--State Appropriation (FY 2013) (~~(\$79,939,000)~~)
\$80,171,000

General Fund--Federal Appropriation (~~(\$154,388,000)~~)
\$154,403,000

General Fund--Private/Local Appropriation \$22,043,000

TOTAL APPROPRIATION (~~(\$337,185,000)~~)

\$337,554,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

(b) \$721,000 of the general fund--state appropriation for fiscal year 2012 and \$721,000 of the general fund--state appropriation for fiscal year 2013 are for the department to fulfill its contracts with the school districts under chapter 28A.190 RCW to provide transportation, building space, and other support services as are reasonably necessary to support the educational programs of students living in residential habilitation centers.

(3) PROGRAM SUPPORT

General Fund--State Appropriation (FY 2012) (~~(\$1,380,000)~~)

\$1,382,000

General Fund--State Appropriation (FY 2013) (~~(\$1,371,000)~~)

\$1,374,000

General Fund--Federal Appropriation \$1,323,000

TOTAL APPROPRIATION (~~(\$4,074,000)~~)

\$4,079,000

(4) SPECIAL PROJECTS

General Fund--State Appropriation (FY 2012) (~~(\$4,648,000)~~)

\$4,658,000

General Fund--State Appropriation (FY 2013) (~~(\$4,637,000)~~)

\$4,657,000

General Fund--Federal Appropriation (~~(\$9,575,000)~~)

\$9,588,000

General Fund--Private/Local Appropriation \$998,000

TOTAL APPROPRIATION (~~(\$19,858,000)~~)

\$19,901,000

The appropriations in this subsection are subject to the following conditions and limitations:

Amounts appropriated in this subsection are for the purposes of transitioning clients with developmental disabilities into community settings. The department is authorized as needed to use these funds to either pay for clients residing within a residential habilitation center or for placements in the community. Pursuant to Second Substitute Senate Bill No. 5459 (services for people with developmental disabilities), funding in this subsection must be prioritized for the

purpose of facilitating the consolidation and closure of Frances Haddon Morgan Center. The department shall use a person-centered approach in developing the discharge plan to assess each resident's needs and identify services the resident requires to successfully transition to the community or another residential habilitation center. The department is authorized to use any savings from this effort for the purpose of developing community resources to address the needs of clients with developmental disabilities who are in crisis or in need of respite. The department shall track the costs and savings of closing Frances Haddon Morgan Center and any investments into community placements and resources. The department shall provide a fiscal progress report to the legislature by December 5, 2011.

On page 208, after line 25, insert the following:

"**Sec. 724.** 2011 1st sp.s. c 50 s 709 (uncodified) is amended to read as follows:

INCENTIVE SAVINGS--FY 2012

The sum of (~~one hundred twenty five million~~) thirty-nine million three hundred ninety-four thousand dollars or so much thereof as may be available on June 30, 2012, from the total amount of unspent fiscal year 2012 state general fund appropriations, exclusive of amounts expressly placed into unallotted status by this act, is appropriated for the purposes of RCW 43.79.460 in the manner provided in this section.

(1) Of the total appropriated amount, one-half of that portion that is attributable to incentive savings, not to exceed twenty-five million dollars, is appropriated to the savings incentive account for the purpose of improving the quality, efficiency, and effectiveness of agency services, and credited to the agency that generated the savings.

(2) The remainder of the total amount, not to exceed one hundred million dollars, is appropriated to the education savings account.

Sec. 725. 2011 1st sp.s. c 50 s 710 (uncodified) is amended to read as follows:

INCENTIVE SAVINGS--FY 2013

The sum of (~~one hundred twenty five million~~) thirty-nine million three hundred ninety-four thousand dollars or so much thereof as may be available on June 30, 2013, from the total amount of unspent fiscal year 2013 state general fund appropriations, exclusive of amounts expressly placed into unallotted status by this act, is appropriated for the purposes of RCW 43.79.460 in the manner provided in this section.

(1) Of the total appropriated amount, one-half of that portion that is attributable to incentive savings, not to exceed twenty-five million dollars, is appropriated to the savings incentive account for the purpose of improving the quality, efficiency, and effectiveness of agency services, and credited to the agency that generated the savings.

(2) The remainder of the total amount, not to exceed one hundred million dollars, is appropriated to the education savings account."

On page 213, after line 14, strike all material through "\$114,431,000" on line 19 and insert "Education Savings Account: For transfer to the state general fund, \$54,431,000 for fiscal year 2012 (~~and \$22,500,000 for fiscal year 2013~~ \$76,931,000) \$54,431,000"

Correct the title.

Representatives Schmick, Hinkle, Klippert, Wilcox, Orcutt, Zeiger, Alexander, Ahern, Anderson and Dammeier spoke in favor of the adoption of the amendment.

Representatives Dickerson, Sullivan, Hunter and Cody 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 (1229) and the amendment was not adopted by the following vote: Yeas, 42; Nays, 56; 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, Johnson, Klippert, Kretz, Kristiansen, McCune, 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, Hurst, Jinks, 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.

Amendment (1229) was not adopted.

Representative Bailey moved the adoption of amendment (1230).

Beginning on page 62, line 3, strike all of section 206 and insert the following:

"**Sec. 206.** 2011 2nd sp.s. c 9 s 206 (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES--AGING AND ADULT SERVICES PROGRAM

General Fund--State Appropriation (FY 2012) (~~(\$781,995,000)~~ \$792,160,000)

General Fund--State Appropriation (FY 2013) (~~(\$804,465,000)~~ \$802,961,000)

General Fund--Federal Appropriation (~~(\$1,680,450,000)~~ \$1,735,905,000)

General Fund--Private/Local Appropriation \$27,517,000

Traumatic Brain Injury Account--State Appropriation \$3,388,000

Nursing Facility Quality Assurance Account--State

Appropriation (~~(\$88,071,000)~~ \$88,000,000)

TOTAL APPROPRIATION (~~(\$3,385,886,000)~~ \$3,449,931,000)

The appropriations in this section are subject to the following conditions and limitations:

(1) For purposes of implementing chapter 74.46 RCW, the weighted average nursing facility payment rate shall not exceed \$170.37 for fiscal year 2012 and shall not exceed \$171.43 for fiscal year 2013, including the rate add-ons described in (a) and (b) of this subsection. However, if the waiver requested from the federal centers for medicare and medicaid services in relation to the safety net assessment created by Engrossed Substitute Senate Bill No. 5581 (nursing home payments) is for any reason not approved and implemented, the weighted average nursing facility payment rate shall not exceed \$159.87 for fiscal year 2012 and shall not exceed \$160.93 for fiscal year 2013. There will be no adjustments for economic trends and conditions in fiscal years 2012 and 2013. The economic trends and conditions factor or factors defined in the biennial appropriations act shall not be compounded with the economic trends and conditions factor or factors defined in any other biennial appropriations acts before applying it to the component rate allocations established in accordance with chapter 74.46 RCW.

When no economic trends and conditions factor for either fiscal year is defined in a biennial appropriations act, no economic trends and conditions factor or factors defined in any earlier biennial appropriations act shall be applied solely or compounded to the component rate allocations established in accordance with chapter 74.46 RCW.

(a) Within the funds provided, the department shall continue to provide an add-on per medicaid resident day per facility not to exceed \$1.57. The add-on shall be used to increase wages, benefits, and/or staffing levels for certified nurse aides; or to increase wages and/or benefits for dietary aides, housekeepers, laundry aides, or any other category of worker whose statewide average dollars-per-hour wage was less than \$15 in calendar year 2008, according to cost report data. The add-on may also be used to address resulting wage compression for related job classes immediately affected by wage increases to low-wage workers. The department shall continue reporting requirements and a settlement process to ensure that the funds are spent according to this subsection.

(b) The department shall do a comparative analysis of the facility-based payment rates calculated on July 1, 2011, using the payment methodology defined in Engrossed Substitute Senate Bill No. 5581 (nursing home payments), to the facility-based payment rates in effect June 30, 2010. If the facility-based payment rate calculated on July 1, 2011, is smaller than the facility-based payment rate on June 30, 2010, then the difference shall be provided to the individual nursing facilities as an add-on payment per medicaid resident day.

(c) During the comparative analysis performed in subsection (b) of this section, if it is found that the direct care rate for any facility calculated using the payment methodology defined in Engrossed Substitute Senate Bill No. 5581 (nursing home payments) is greater than the direct care rate in effect on June 30, 2010, then the facility shall receive a ten percent direct care rate add-on to compensate that facility for taking on more acute clients than they have in the past.

(d) The department shall provide a medicaid rate add-on to reimburse the medicaid share of the skilled nursing facility safety net assessment as a medicaid allowable cost. The nursing facility safety net rate add-on may not be included in the calculation of the annual statewide weighted average nursing facility payment rate.

(e) If the waiver requested from the federal centers for medicare and medicaid services in relation to the safety net assessment created by Engrossed Substitute Senate Bill No. 5581 (nursing home payments) is for any reason not approved and implemented, subsections (b), (c), and (d) of this subsection do not apply.

(2) After examining actual nursing facility cost information, the legislature finds that the medicaid nursing facility rates calculated pursuant to Engrossed Substitute Senate Bill No. 5581 (nursing home payments) provide sufficient reimbursement to efficiently and economically operating nursing facilities and bear a reasonable relationship to costs.

(3) In accordance with chapter 74.46 RCW, the department shall issue no additional certificates of capital authorization for fiscal year 2012 and no new certificates of capital authorization for fiscal year 2013 and shall grant no rate add-ons to payment rates for capital improvements not requiring a certificate of need and a certificate of capital authorization for fiscal years 2012 and 2013.

(4) The long-term care program may develop and pay enhanced rates for exceptional care to nursing homes for persons with traumatic brain injuries who are transitioning from hospital care. The cost per patient day for caring for these clients in a nursing home setting may be equal to or less than the cost of caring for these clients in a hospital setting.

(5) Amounts appropriated in this section reflect a reduction to funds appropriated for in-home care. The department shall reduce the number of in-home hours authorized. The reduction shall be scaled based on the acuity level of care recipients. The largest hour

reductions shall be to lower acuity patients and the smallest hour reductions shall be to higher acuity patients.

(6) \$1,883,000 of the general fund--state appropriation for fiscal year 2012, \$1,883,000 of the general fund--state appropriation for fiscal year 2013, and \$3,766,000 of the general fund--federal appropriation are provided solely for state contributions for individual provider health care benefits. Pursuant to the collective bargaining agreement negotiated with the exclusive bargaining representative of individual providers established under RCW 74.39A.270, the state shall contribute to the multiemployer health benefits trust fund ~~(\$1.96)~~ \$2.21 per paid hour worked by individual providers.

(7) ~~(\$16,835,000 of the general fund state appropriation for fiscal year 2012, \$17,952,000 of the general fund state appropriation for fiscal year 2013, and \$34,786,000 of the general fund federal appropriation are provided solely for home care agencies to purchase health coverage for home care providers. The department shall calculate and distribute payments for health care benefits to home care agencies at \$558 per month for each worker who cares for publicly funded clients at 86 hours or more per month. In order to negotiate the most comprehensive health benefits package for its employees, each agency may determine benefit levels according to the hours an employee works providing state funded personal care. Health benefits shall be offered to all employees who care for publicly funded clients for 86 hours per month or more. At a minimum, employees who care for publicly funded clients at 140 hours a month or greater must receive a comprehensive medical benefit. Benefits shall not be provided to employees who care for publicly funded clients at 85 hours or less per month or as interim respite workers. The department shall not pay an agency for benefits provided to an employee who otherwise receives health care coverage through other family members, other employment based coverage, or military or veteran's coverage. The department shall require annually, each home care agency to review each of its employee's available health coverage and to provide a written declaration to the department verifying that health benefits purchased with public funds are solely for employees that do not have other available coverage. Home care agencies may determine a reasonable employee co-premium not to exceed 20 percent of the total benefit cost.~~

~~(8))~~ \$2,063,000 of the general fund--state appropriation for fiscal year 2012, \$2,195,000 of the general fund--state appropriation for fiscal year 2013, and \$4,260,000 of the general fund--federal appropriation are provided solely for the state's contribution to the training partnership, as provided in RCW 74.39A.360, for instructional costs associated with the training of individual providers. House Bill No. 1548 and Senate Bill No. 5473 (long-term care worker requirements) make statutory changes to the increased training requirements and therefore the state shall contribute to the partnership \$0.17 per paid hour worked by all home care workers. This amount is pursuant to the collective bargaining agreement negotiated with the exclusive bargaining representative of individual providers established under RCW 74.39A.270. Expenditures for the purposes specified in this subsection shall not exceed the amounts provided in this subsection.

~~((9))~~ (8) Individuals receiving services as supplemental security income (SSI) state supplemental payments shall not become eligible for medical assistance under RCW 74.09.510 due solely to the receipt of SSI state supplemental payments.

~~((10))~~ (9) The department shall eliminate the adult day health program under the state plan 1915(i) option and shall reestablish it under the long-term care home and community-based waiver.

~~((11) \$4,588,000)~~ (10) \$4,823,000 of the general fund--state appropriation for fiscal year 2012, ~~(\$4,559,000)~~ \$6,474,000 of the general fund--state appropriation for fiscal year 2013, and ~~(\$9,237,000)~~ \$11,387,000 of the general fund--federal appropriation are provided solely for the continued operation of community residential and support services for persons who are older adults or

who have co-occurring medical and behavioral disorders and who have been discharged or diverted from a state psychiatric hospital. These funds shall be used to serve individuals whose treatment needs constitute substantial barriers to community placement, who no longer require active psychiatric treatment at an inpatient hospital level of care, and who no longer meet the criteria for inpatient involuntary commitment. The department shall prioritize services in order to reduce utilization and maintain a reduction of sixty beds at western state hospital that were previously used for long-term placements for clients with dementia, traumatic brain injuries, or other organic brain disorders. The department shall ensure that a sufficient number of individuals have been transitioned and diverted from western state hospital to enable closure of a 30 bed ward on July 1, 2012, and of another 30 bed ward on October 1, 2012. Coordination of these services must be done in partnership between the mental health program and the aging and disability services administration.

(12) \$1,840,000 of the general fund--state appropriation for fiscal year 2012 and \$1,877,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for operation of the volunteer services program. Funding shall be prioritized towards serving populations traditionally served by long-term care services to include senior citizens and persons with disabilities.

(13) In accordance with Engrossed Substitute House Bill No. 1277 (licensed settings for vulnerable adults), nursing facility fees are increased in fiscal year 2012 and adult family home fees are increased in fiscal year 2012 and fiscal year 2013 to support the costs of conducting licensure, inspection, and regulatory programs.

(a) The current annual renewal license fee for nursing facilities shall be increased to \$359 per bed beginning in fiscal year 2012 and assumes \$517,000 of the general fund--private/local appropriation. Nursing facilities shall receive a vendor rate increase of \$0.08 per medicaid patient day to cover the license fee increase for publicly funded beds.

(b) The current annual renewal license fee for adult family homes shall be increased to \$100 per bed beginning in fiscal year 2012 and assumes \$1,449,000 of the general fund--private/local appropriation; and \$175 per bed beginning in fiscal year 2013 and assumes \$2,463,000 of the general fund--private/local appropriation. Adult family homes shall receive a corresponding vendor rate increase per medicaid patient day of \$0.22 in fiscal year 2012 and \$0.43 in fiscal year 2013 to cover the license fee increase for publicly funded beds.

(c) Beginning in fiscal year 2012, a processing fee of \$2,750 shall be charged to each adult family home when the home is initially licensed. This fee is nonrefundable.

(d) \$72,000 of the general fund--state appropriation for fiscal year 2012, \$708,000 of the general fund--private/local appropriation and \$708,000 of the general fund--federal appropriation are provided solely to implement sections 501 through 503 of Engrossed Substitute House Bill No. 1277 (licensed settings for vulnerable adults). The department shall use additional investigative resources to address complaints about provider practices as well as alleged abuse, neglect, abandonment, and exploitation of residents in adult family homes. The department shall develop a statewide internal quality review and accountability program to improve the accountability of staff and the consistent application of investigative activities, and shall convene a quality assurance panel to review problems in the quality of care in adult family homes.

(14) \$3,316,000 of the traumatic brain injury account--state appropriation is provided solely to continue services for persons with traumatic brain injury (TBI) as defined in chapter 143, Laws of 2011 (traumatic brain injury strategic partnership).

(15) The department is authorized to place long-term care clients residing in nursing homes and paid for with state only funds into less restrictive community care settings while continuing to meet the client's care needs.

On page 208, after line 25, insert the following:

"Sec. 724. 2011 1st sp.s. c 50 s 709 (uncodified) is amended to read as follows:

INCENTIVE SAVINGS--FY 2012

The sum of (~~one hundred twenty five million~~) forty-six million six hundred fifty-four thousand dollars or so much thereof as may be available on June 30, 2012, from the total amount of unspent fiscal year 2012 state general fund appropriations, exclusive of amounts expressly placed into unallotted status by this act, is appropriated for the purposes of RCW 43.79.460 in the manner provided in this section.

(1) Of the total appropriated amount, one-half of that portion that is attributable to incentive savings, not to exceed twenty-five million dollars, is appropriated to the savings incentive account for the purpose of improving the quality, efficiency, and effectiveness of agency services, and credited to the agency that generated the savings.

(2) The remainder of the total amount, not to exceed one hundred million dollars, is appropriated to the education savings account.

Sec. 725. 2011 1st sp.s. c 50 s 710 (uncodified) is amended to read as follows:

INCENTIVE SAVINGS--FY 2013

The sum of (~~one hundred twenty five million~~) forty-six million six hundred fifty-eight thousand dollars or so much thereof as may be available on June 30, 2013, from the total amount of unspent fiscal year 2013 state general fund appropriations, exclusive of amounts expressly placed into unallotted status by this act, is appropriated for the purposes of RCW 43.79.460 in the manner provided in this section.

(1) Of the total appropriated amount, one-half of that portion that is attributable to incentive savings, not to exceed twenty-five million dollars, is appropriated to the savings incentive account for the purpose of improving the quality, efficiency, and effectiveness of agency services, and credited to the agency that generated the savings.

(2) The remainder of the total amount, not to exceed one hundred million dollars, is appropriated to the education savings account."

On page 213, after line 14, strike all material through "\$114,431,000" on line 19 and insert the following:
 "Education Savings Account: For transfer to the state general fund, \$54,431,000 for fiscal year 2012 (~~and \$22,500,000 for fiscal year 2013~~) (~~(\$76,931,000)~~) \$54,431,000"

Correct the title.

Representatives Bailey, Alexander and Ross spoke in favor of the adoption of the amendment.

Representative Cody 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 (1230) and the amendment was not adopted by the following vote: Yeas, 43; Nays, 55; 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, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, 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, Hurst, Jinkins, Kagi, 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.

Amendment (1230) was not adopted.

Representative Hunter moved the adoption of amendment (1206).

On page 76, line 5, strike "~~(\$445,000)~~ \$373,000" and insert "\$445,000"

On page 76, line 6, strike "~~(\$445,000)~~ \$300,000" and insert "\$445,000"

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

Amendment (1206) was adopted.

Representative Darneille moved the adoption of amendment (1226).

On page 103, line 19, decrease the general fund--state appropriation for fiscal year 2012 by \$1,441,000

On page 103, line 21, increase the general fund--state appropriation for fiscal year 2013 by \$236,000

On page 103, line 23, correct the total.

On page 104, line 2, increase the general fund--state appropriation for fiscal year 2012 by \$41,000

On page 104, line 4, increase the general fund--state appropriation for fiscal year 2013 by \$165,000

On page 104, line 9, correct the total.

On page 105, after line 25, insert the following:

"(h) \$41,000 of the general fund--state appropriation for fiscal year 2012 and \$165,000 of the general fund--state appropriation for fiscal year 2013 are provided solely for the department to maintain the facility, property, and assets at the institution formerly known as the maple lane school in Rochester. The department may not house incarcerated offenders at the maple lane site until specifically directed by the legislature. By November 1, 2012, the department shall report to the appropriate fiscal committees of the house of representatives and the senate with a plan for the future use of the facility."

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

On page 105, line 28, decrease the general fund--state appropriation for fiscal year 2012 by \$1,933,000

On page 105, line 30, increase the general fund--state appropriation for fiscal year 2013 by \$1,102,000

On page 105, line 36, correct the total.

Representatives Darneille and Ross spoke in favor of the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1226) and the amendment was adopted 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.

Amendment (1226) was adopted.

With the consent of the house, amendment (1227) was withdrawn.

Representative Hunter moved the adoption of amendment (1234).

On page 148, after line 22, insert the following:

"NEW SECTION, Sec. 503. A new section is added to 2011 1st sp. s. c 50 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--
FOR MAY AND JUNE 2013 LOCAL EFFORT ASSISTANCE
PAYMENTS**

General Fund--State Appropriation (FY 13) \$74,841,000

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

(1) The purpose of this contingent appropriation is to ensure a responsible ending fund balance while avoiding delay in providing funding to school districts by making the May and June 2013 local effort assistance payments to eligible school districts if the June 2013 revenue forecast indicates that sufficient revenues are available to support the expenditure.

(2) The amount in this section is provided solely for the May and June 2013 local effort assistance payments to eligible school districts that would otherwise be paid in those months but for the delay until July 2013 required by House Bill No. 2813 (local effort assistance).

(3) This section takes effect June 25, 2013, only if the June 2013 forecast adopted by the economic and revenue forecast council pursuant to RCW 82.33.030 projects that state general fund revenues for the 2011-2013 fiscal biennium will exceed \$30,487,702,000.

(4) The economic and revenue forecast council must provide notice of the contingency in (3) of this section to the chief clerk of the house of representatives, the secretary of the senate, the statute law committee, the superintendent of public instruction, the governor, and others as deemed appropriate by the council.

"NEW SECTION, Sec. 504. A new section is added to 2011 1st sp. s. c 50 (uncodified) to read as follows:

**FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION--
FOR JUNE 2013 GENERAL APPORTIONMENT**

General Fund--State Appropriation (FY 13) \$340,000,000

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

(1) The purpose of this contingent appropriation is to ensure a responsible ending fund balance while avoiding delay in providing funding to school districts by making the June 2013 general apportionment payment to school districts if the June 2013 revenue forecast indicates that sufficient revenues are available to support the expenditure.

(2) The amount in this section is provided solely for the June 2013 general apportionment payment to school districts that would

otherwise be paid in that month but for the delay to July 2013 required by House Bill No. 2129 (apportionment payment).

(3) This section takes effect June 25, 2013, only if the June 2013 forecast adopted by the economic and revenue forecast council pursuant to RCW 82.33.030 projects that state general fund revenues for the 2011-2013 fiscal biennium will exceed \$30,827,702,000.

(4) The economic and revenue forecast council must provide notice of the contingency in (3) of this section to the chief clerk of the house of representatives, the secretary of the senate, the statute law committee, the superintendent of public instruction, the governor, and others as deemed appropriate by the council."

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

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

Representatives Dammeier, Dahlquist, Haler, Pearson, Anderson, Wilcox and Parker spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Moeller presiding) divided the House. The result was 56 - YEAS; 42 - NAYS.

Amendment (1234) was adopted

Representative Kagi moved the adoption of amendment (1224).

On page 191, line 3, increase the general fund--state appropriation for fiscal year 2013 by \$1,025,000

On page 191, line 9, correct the total

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

Amendment (1224) was adopted.

Representative Haigh moved the adoption of amendment (1219).

On page 205, beginning on line 23, after "issues" strike all material through "factors," on line 25

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

Amendment (1219) was adopted.

Representative Orcutt moved the adoption of amendment (1232).

On page 222, beginning on line 12, strike all of section 910

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

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

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1232) and the amendment was adopted 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.

Amendment (1232) was adopted.

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

There being no objection, the House deferred action on ENGROSSED SUBSTITUTE HOUSE BILL NO. 2127 and the bill held its place on the third reading calendar.

SENATE BILL NO. 6133, by Senators Conway, Roach, Kohl-Welles, Nelson, Kline and Keiser

Requiring training for eligibility for certain electrician certifications.

The bill was read the second time.

Representative Shea moved the adoption of amendment (1240).

On page 1, line 8, after "(1)" strike "An" and insert "Subject to subsection (4) of this section, an"

On page 2, after line 14, insert the following:

"(4) The hours of in-class education apply in proportion to the hours of work obtained after the effective date of this section."

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

Representative Sells spoke against the adoption of the amendment.

Amendment (1240) was not adopted.

Representative Condotta moved the adoption of amendment (1198).

On page 2, line 12, after "(3)" insert "For a class to qualify as "in-class education" under this section, the instructor must provide individual written evaluations of trainees, including test results, and the trainee must have received passing scores on tests and a written evaluation that indicates that the trainee, as determined by the instructor, demonstrated satisfactory command of the subject matter.

(4)"

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

Representative Sells spoke against the adoption of the amendment.

Amendment (1198) was not adopted.

Representative Condotta moved the adoption of amendment (1197).

On page 2, beginning on line 15, strike all of sections 2 and 3 and insert the following:

"**Sec. 2.** RCW 19.28.191 and 2006 c 185 s 7 are each amended to read as follows:

(1) Upon receipt of the application, the department shall review the application and determine whether the applicant is eligible to take an examination for the master journeyman electrician, journeyman electrician, master specialty electrician, or specialty electrician certificate of competency.

(a) Before July 1, 2005, an applicant who possesses a valid journeyman electrician certificate of competency in effect for the previous four years and a valid general administrator's certificate may apply for a master journeyman electrician certificate of competency without examination.

(b) Before July 1, 2005, an applicant who possesses a valid specialty electrician certificate of competency, in the specialty applied for, for the previous two years and a valid specialty administrator's certificate, in the specialty applied for, may apply for a master specialty electrician certificate of competency without examination.

(c) Before December 1, 2003, the following persons may obtain an equipment repair specialty electrician certificate of competency without examination:

(i) A person who has successfully completed an apprenticeship program approved under chapter 49.04 RCW for the machinist trade; and

(ii) A person who provides evidence in a form prescribed by the department affirming that: (A) He or she was employed as of April 1, 2003, by a factory-authorized equipment dealer or service company; and (B) he or she has worked in equipment repair for a minimum of four thousand hours.

(d) To be eligible to take the examination for a master journeyman electrician certificate of competency the applicant must have possessed a valid journeyman electrician certificate of competency for four years.

(e) To be eligible to take the examination for a master specialty electrician certificate of competency the applicant must have possessed a valid specialty electrician certificate of competency, in the specialty applied for, for two years.

(f) To be eligible to take the examination for a journeyman certificate of competency the applicant must have:

(i) Provided evidence in a form prescribed by the department affirming that the applicant has met the in-class education requirement of section 1 of this act; and

(ii)(A) Worked in the electrical construction trade for a minimum of eight thousand hours, of which four thousand hours shall be in industrial or commercial electrical installation under the supervision of a master journeyman electrician or journeyman electrician and not more than a total of four thousand hours in all specialties under the supervision of a master journeyman electrician, journeyman electrician, master specialty electrician working in that electrician's specialty, or specialty electrician working in that electrician's specialty. Specialty electricians with less than a four thousand hour work experience requirement cannot credit the time required to obtain that specialty towards qualifying to become a journeyman electrician; or

((~~iii~~))(B) Successfully completed an apprenticeship program approved under chapter 49.04 RCW for the electrical construction trade.

(g) To be eligible to take the examination for a specialty electrician certificate of competency the applicant must have:

(i) Provided evidence in a form prescribed by the department affirming that the applicant has met the in-class education requirement of section 1 of this act; and

(ii)(A) Worked in the residential (as specified in WAC 296-46B-920(2)(a)), pump and irrigation (as specified in WAC 296-46B-920(2)(b)), sign (as specified in WAC 296-46B-920(2)(d)), limited energy (as specified in WAC 296-46B-920(2)(e)), nonresidential maintenance (as specified in WAC 296-46B-920(2)(g)), or other new nonresidential specialties as determined by the department in rule under the supervision of a master journeyman electrician, journeyman electrician, master specialty electrician working in that electrician's specialty, or specialty electrician working in that electrician's specialty for a minimum of four thousand hours;

((~~iii~~))(B) Worked in the appliance repair specialty as determined by the department in rule, restricted nonresidential maintenance as determined by the department in rule, the equipment repair specialty as determined by the department in rule, the pump and irrigation specialty other than as defined by (g)(i) of this subsection or domestic pump specialty as determined by the department in rule, or a specialty other than the designated specialties in (g)(i) of this subsection for a minimum of the initial ninety days, or longer if set by rule by the department. The restricted nonresidential maintenance specialty is limited to a maximum of 277 volts and 20 amperes for lighting branch circuits and/or a maximum of 250 volts and 60 amperes for other circuits, but excludes the replacement or repair of circuit breakers. The initial period must be spent under one hundred percent supervision of a master journeyman electrician, journeyman electrician, master specialty electrician working in that electrician's specialty, or specialty electrician working in that electrician's specialty. After this initial period, a person may take the specialty examination. If the person passes the examination, the person may work unsupervised for the balance of the minimum hours required for certification. A person may not be certified as a specialty electrician in the appliance repair specialty or in a specialty other than the designated specialties in (g)(i) of this subsection, however, until the person has worked a minimum of two thousand hours in that specialty, or longer if set by rule by the department;

((~~iii~~))(C) Successfully completed an approved apprenticeship program under chapter 49.04 RCW for the applicant's specialty in the electrical construction trade; or

((~~iv~~))(D) In meeting the training requirements for the pump and irrigation or domestic pump specialties, the individual shall be allowed to obtain the experience required by this section at the same time the individual is meeting the experience required by RCW 18.106.040(1)(c). After meeting the training requirements provided in this section, the individual may take the examination and upon passing the examination, meeting additional training requirements as may still be required for those seeking a pump and irrigation, or a domestic pump specialty certificate as defined by rule, and paying the applicable fees, the individual must be issued the appropriate certificate. The department may include an examination for specialty plumbing certificate defined in RCW 18.106.010(10)(c) with the examination required by this section. The department, by rule and in consultation with the electrical board, may establish additional equivalent ways to gain the experience requirements required by this subsection. Individuals who are able to provide evidence to the department, prior to January 1, 2007, that they have been employed as a pump installer in the pump and irrigation or domestic pump business by an appropriately licensed electrical contractor, registered general contractor defined by chapter 18.27 RCW, or appropriate general specialty contractor defined by chapter 18.27 RCW for not

less than eight thousand hours in the most recent six calendar years shall be issued the appropriate certificate by the department upon receiving such documentation and applicable fees. The department shall establish a single document for those who have received both an electrical specialty certification as defined by this subsection and have also met the certification requirements for the specialty plumber as defined by RCW 18.106.010(10)(c), showing that the individual has received both certifications. No other experience or training requirements may be imposed.

(h) Any applicant for a journeyman electrician certificate of competency who has successfully completed a two-year program in the electrical construction trade at public community or technical colleges, or not-for-profit nationally accredited technical or trade schools licensed by the workforce training and education coordinating board under chapter 28C.10 RCW may substitute up to two years of the technical or trade school program for two years of work experience under a master journeyman electrician or journeyman electrician. The applicant shall obtain the additional two years of work experience required in industrial or commercial electrical installation prior to the beginning, or after the completion, of the technical school program. Any applicant who has received training in the electrical construction trade in the armed service of the United States may be eligible to apply armed service work experience towards qualification to take the examination for the journeyman electrician certificate of competency.

(i) An applicant for a specialty electrician certificate of competency who, after January 1, 2000, has successfully completed a two-year program in the electrical construction trade at a public community or technical college, or a not-for-profit nationally accredited technical or trade school licensed by the workforce training and education coordinating board under chapter 28C.10 RCW, may substitute up to one year of the technical or trade school program for one year of work experience under a master journeyman electrician, journeyman electrician, master specialty electrician working in that electrician's specialty, or specialty electrician working in that electrician's specialty. Any applicant who has received training in the electrical construction trade in the armed services of the United States may be eligible to apply armed service work experience towards qualification to take the examination for an appropriate specialty electrician certificate of competency.

(j) The department must determine whether hours of training and experience in the armed services or school program are in the electrical construction trade and appropriate as a substitute for hours of work experience. The department must use the following criteria for evaluating the equivalence of classroom electrical training programs and work in the electrical construction trade:

(i) A two-year electrical training program must consist of three thousand or more hours.

(ii) In a two-year electrical training program, a minimum of two thousand four hundred hours of student/instructor contact time must be technical electrical instruction directly related to the scope of work of the electrical specialty. Student/instructor contact time includes lecture and in-school lab.

(iii) The department may not allow credit for a program that accepts more than one thousand hours transferred from another school's program.

(iv) Electrical specialty training school programs of less than two years will have all of the above student/instructor contact time hours proportionately reduced. Such programs may not apply to more than fifty percent of the work experience required to attain certification.

(v) Electrical training programs of less than two years may not be credited towards qualification for journeyman electrician unless the training program is used to gain qualification for a four thousand hour electrical specialty.

(k) No other requirement for eligibility may be imposed.

(2) The department shall establish reasonable rules for the examinations to be given applicants for certificates of competency. In establishing the rules, the department shall consult with the board. Upon determination that the applicant is eligible to take the examination, the department shall so notify the applicant, indicating the time and place for taking the examination.

(3) No noncertified individual may work unsupervised more than one year beyond the date when the trainee would be eligible to test for a certificate of competency if working on a full-time basis after original application for the trainee certificate. For the purposes of this section, full-time basis means two thousand hours."

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

Correct the title.

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

Representative Sells spoke against the adoption of the amendment.

Amendment (1197) was not adopted.

Representative Condotta moved the adoption of amendment (1196).

On page 3, after line 31, insert the following:

"**Sec. 4.** RCW 19.28.161 and 2010 c 33 s 1 are each amended to read as follows:

(1) No person may engage in the electrical construction trade without having a valid master journeyman electrician certificate of competency, journeyman electrician certificate of competency, master specialty electrician certificate of competency, or specialty electrician certificate of competency issued by the department in accordance with this chapter. Electrician certificate of competency specialties include, but are not limited to: Residential, pump and irrigation, limited energy system, signs, nonresidential maintenance, restricted nonresidential maintenance, and appliance repair. Until July 1, 2007, the department of labor and industries shall issue a written warning to any specialty pump and irrigation or domestic pump electrician not having a valid electrician certification. The warning will state that the individual must apply for an electrical training certificate or be qualified for and apply for electrician certification under the requirements in RCW 19.28.191(1)(g) within thirty calendar days of the warning. Only one warning will be issued to any individual. If the individual fails to comply with this section, the department shall issue a penalty as defined in RCW 19.28.271 to the individual.

(2) A person who is indentured in an apprenticeship program approved under chapter 49.04 RCW for the electrical construction trade or who is learning the electrical construction trade may work in the electrical construction trade if supervised by a certified master journeyman electrician, journeyman electrician, master specialty electrician in that electrician's specialty, or specialty electrician in that electrician's specialty. All apprentices and individuals learning the electrical construction trade shall obtain an electrical training certificate from the department. The certificate shall authorize the holder to learn the electrical construction trade while under the direct supervision of a master journeyman electrician, journeyman electrician, master specialty electrician working in that electrician's specialty, or specialty electrician working in that electrician's specialty. The certificate may include a photograph of the holder. The holder of the electrical training certificate shall renew the certificate biennially. At the time of renewal, the holder shall provide the department with an accurate

list of the holder's employers in the electrical construction industry for the previous biennial period and the number of hours worked for each employer. The holder shall also provide proof of sixteen hours of: Approved classroom training covering this chapter, the national electrical code, or electrical theory; or equivalent classroom training taken as part of an approved apprenticeship program under chapter 49.04 RCW or an approved electrical training program under RCW 19.28.191(1)(h). The number of hours of approved classroom training required for certificate renewal shall increase as follows: (a) Beginning on July 1, 2011, the holder of an electrical training certificate shall provide the department with proof of thirty-two hours of approved classroom training; and (b) beginning on July 1, 2013, the holder of an electrical training certificate shall provide the department with proof of forty-eight hours of approved classroom training. ~~((At the request of the chairs of the house of representatives commerce and labor committee and the senate labor, commerce and consumer protection committee, or their successor committees,))~~ The department of labor and industries shall provide information on the implementation of the new classroom training requirements for electrical trainees under chapter 33, Laws of 2010 to ~~((both))~~ the appropriate committees of the legislature by December 1, 2012. A biennial fee shall be charged for the issuance or renewal of the certificate. The department shall set the fee by rule. The fee shall cover but not exceed the cost of administering and enforcing the trainee certification and supervision requirements of this chapter. Apprentices and individuals learning the electrical construction trade shall have their electrical training certificates in their possession at all times that they are performing electrical work. They shall show their certificates to an authorized representative of the department at the representative's request.

(3) Any person who has been issued an electrical training certificate under this chapter may work if that person is under supervision. Supervision shall consist of a person being on the same job site and under the control of either a certified master journeyman electrician, journeyman electrician, master specialty electrician working in that electrician's specialty, or specialty electrician working in that electrician's specialty. Either a certified master journeyman electrician, journeyman electrician, master specialty electrician working in that electrician's specialty, or specialty electrician working in that electrician's specialty shall be on the same job site as the noncertified individual for a minimum of seventy-five percent of each working day unless otherwise provided in this chapter.

(4) The ratio of noncertified individuals to certified master journeyman electricians, journeymen electricians, master specialty electricians, or specialty electricians on any one job site is as follows:

(a) When working as a specialty electrician, not more than two noncertified individuals for every certified master specialty electrician working in that electrician's specialty, specialty electrician working in that electrician's specialty, master journeyman electrician, or journeyman electrician, except that the ratio requirements are one certified master specialty electrician working in that electrician's specialty, specialty electrician working in that electrician's specialty, master journeyman electrician, or journeyman electrician working as a specialty electrician to no more than four students enrolled in and working as part of an electrical construction program at public community or technical colleges, or not-for-profit nationally accredited trade or technical schools licensed by the workforce training and education coordinating board under chapter 28C.10 RCW. In meeting the ratio requirements for students enrolled in an electrical construction program at a trade school, a trade school may receive input and advice from the electrical board; and

(b) When working as a journeyman electrician, not more than one noncertified individual for every certified master journeyman electrician or journeyman electrician, except that the ratio requirements shall be one certified master journeyman electrician or journeyman electrician to no more than four students enrolled in and working as part of an electrical construction program at public community or technical colleges, or not-for-profit nationally accredited trade or technical schools licensed by the workforce training and education coordinating board under chapter 28C.10 RCW. In meeting the ratio requirements for students enrolled in an electrical construction program at a trade school, a trade school may receive input and advice from the electrical board.

An individual who has a current training certificate and who has successfully completed or is currently enrolled in an approved apprenticeship program or in an electrical construction program at public community or technical colleges, or not-for-profit nationally accredited technical or trade schools licensed by the workforce training and education coordinating board under chapter 28C.10 RCW, may work without direct on-site supervision during the last six months of meeting the practical experience requirements of this chapter.

(5) For the residential (as specified in WAC 296-46B-920(2)(a)), pump and irrigation (as specified in WAC 296-46B-920(2)(b)), sign (as specified in WAC 296-46B-920(2)(d)), limited energy (as specified in WAC 296-46B-920(2)(e)), nonresidential maintenance (as specified in WAC 296-46B-920(2)(g)), restricted nonresidential maintenance as determined by the department in rule, or other new nonresidential specialties, not including appliance repair, as determined by the department in rule, either a master journeyman electrician, journeyman electrician, master specialty electrician working in that electrician's specialty, or specialty electrician working in that electrician's specialty must be on the same job site as the noncertified individual for a minimum of seventy-five percent of each working day. Other specialties must meet the requirements specified in RCW 19.28.191(1)(g)(ii). When the ratio of certified electricians to noncertified individuals on a job site is one certified electrician to three or four noncertified individuals, the certified electrician must:

(a) Directly supervise and instruct the noncertified individuals and the certified electrician may not directly make or engage in an electrical installation; and

(b) Be on the same job site as the noncertified individual for a minimum of one hundred percent of each working day.

(6) The electrical contractor shall accurately verify and attest to the electrical trainee hours worked by electrical trainees on behalf of the electrical contractor."

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

On page 3, line 32, after "**Sec. 4.**" strike "This act takes" and insert "Sections 1 through 3 of this act take"

Correct the title.

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

Representative Sells spoke against the adoption of the amendment.

Amendment (1196) was not adopted.

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

Representative Ormsby spoke in favor of the passage of the bill.

Representative Condotta spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 6133.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6133, and the bill passed the House by the following vote: Yeas, 56; Nays, 42; Absent, 0; Excused, 0.

Voting yea: Representatives Angel, Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Eddy, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Lias, 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, Armstrong, Asay, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Finn, Haler, Hargrove, Harris, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh, Warnick, Wilcox and Zeiger.

SENATE BILL NO. 6133, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5661, by Senators Nelson, Pridemore, Swecker, White, Morton and Fain

Regarding derelict fishing gear.

The bill was read the second time.

Representative McCune moved the adoption of amendment (1209).

On page 3, after line 9, insert the following:

"**NEW SECTION, Sec. 3.** (1) The department of fish and wildlife shall, by no later than December 31, 2012, work with all interested Indian tribes to develop a program that will assist coordination and communication among the department of fish and wildlife and the various cooperating Indian tribes to record, consistent with RCW 77.12.870, the location of lost or abandoned fishing nets that originated in a tribal fishery.

(2) This section expires on July 31, 2013."

Representatives McCune and Blake spoke in favor of the adoption of the amendment.

Amendment (1209) was adopted.

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

Representatives Blake and McCune 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 Senate Bill No. 5661, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5661, as amended by the House, 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.

ENGROSSED SENATE BILL NO. 5661, as amended by the House, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

February 28, 2012

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 1194
HOUSE BILL NO. 1381
SECOND SUBSTITUTE HOUSE BILL NO. 1652
HOUSE BILL NO. 2440

and the same are herewith transmitted.

Thomas Hoemann, Secretary

ENGROSSED SUBSTITUTE SENATE BILL NO. 5575, by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Hatfield, Delvin, Eide, Schoesler, Haugen, Shin, Kilmer, Hobbs, Becker, Honeyford, Conway and Sheldon)

Recognizing certain biomass energy facilities as an eligible renewable resource.

The bill was read the second time.

Representative Morris moved the adoption of amendment (1120).

Beginning on page 1, line 3 of the amendment, strike all of sections 1 through 12 and insert the following:

"**Sec. 1.** RCW 29A.08.210 and 2009 c 369 s 16 are each amended to read as follows:

An applicant for voter registration shall complete an application providing the following information concerning his or her qualifications as a voter in this state:

(1) The former address of the applicant if previously registered to vote;

- (2) The applicant's full name;
- (3) The applicant's date of birth;
- (4) The address of the applicant's residence for voting purposes;
- (5) The mailing address of the applicant if that address is not the same as the address in subsection (4) of this section;
- (6) The sex of the applicant;
- (7) The applicant's Washington state driver's license number, Washington state identification card number, or the last four digits of the applicant's social security number if he or she does not have a Washington state driver's license or Washington state identification card;
- (8) A check box allowing the applicant to indicate that he or she is a member of the armed forces, national guard, or reserves, or that he or she is an overseas voter;
- (9) A check box allowing the applicant to confirm that he or she is at least eighteen years of age or will be eighteen years of age by the next election;
- (10) Clear and conspicuous language, designed to draw the applicant's attention, stating that the applicant must be a United States citizen in order to register to vote;
- (11) A check box and declaration confirming that the applicant is a citizen of the United States;

(12) An applicant must provide the county auditor with documented proof of citizenship before he or she may be allowed to register. Documented proof of citizenship includes:

(a) A driver's license number or government-issued identification if citizenship is indicated;

(b) A photocopy of a birth certificate;

(c) A passport; or

(d) Naturalization documents or a certificate of naturalization;

(13) The following warning:

"If you knowingly provide false information on this voter registration form or knowingly make a false declaration about your qualifications for voter registration you will have committed a class C felony that is punishable by imprisonment for up to five years, a fine of up to ten thousand dollars, or both."

~~((13))~~ (14) The oath required by RCW 29A.08.230 and a space for the applicant's signature; and

~~((14))~~ (15) Any other information that the secretary of state determines is necessary to establish the identity of the applicant and prevent duplicate or fraudulent voter registrations.

This information shall be recorded on a single registration form to be prescribed by the secretary of state.

Sec. 2. RCW 29A.08.330 and 2009 c 369 s 20 are each amended to read as follows:

(1) The secretary of state shall prescribe the method of voter registration for each designated agency. The agency shall use either the state voter registration by mail form with a separate declination form for the applicant to indicate that he or she declines to register at this time, or the agency may use a separate form approved for use by the secretary of state.

(2) The person providing service at the agency shall offer voter registration services to every client whenever he or she applies for service or assistance and with each renewal, recertification, or change of address. The person providing service shall give the applicant the same level of assistance with the voter registration application as is offered to fill out the agency's forms and documents, including information about age and citizenship requirements for voter registration.

(3) The person providing service at the agency shall determine if the prospective applicant wants to register to vote or transfer his or her voter registration by asking the following question:

"Do you want to register to vote or transfer your voter registration?"

If the applicant chooses to register or transfer a registration, the service agent shall ask the following:

- (a) "Are you a United States citizen?"
- (b) "Are you or will you be eighteen years of age on or before the next election?"

(4) If the applicant answers in the affirmative to both questions, the agent shall then ask the applicant to provide documented proof of citizenship before providing the applicant with a voter registration form. Documented proof of citizenship includes:

(a) A driver's license number or government-issued identification if citizenship is indicated;

(b) A photocopy of a birth certificate;

(c) A passport; or

(d) Naturalization documents or a certificate of naturalization.

(5) If the applicant provides sufficient proof of citizenship, the agent shall then provide the applicant with a voter registration form and instructions and shall record that the applicant has requested to register to vote or transfer a voter registration. If the applicant answers in the negative to either question, the agent shall not provide the applicant with a voter registration form.

~~((4))~~ (6) If an agency uses a computerized application process, it may, in consultation with the secretary of state, develop methods to capture simultaneously the information required for voter registration during a person's computerized application process.

~~((5))~~ (7) Each designated agency shall transmit the applications to the secretary of state or appropriate county auditor within three business days.

Sec. 3. RCW 46.20.155 and 2009 c 369 s 42 are each amended to read as follows:

(1) Before issuing an original license or identicard or renewing a license or identicard under this chapter, the licensing agent shall determine if the applicant wants to register to vote or transfer his or her voter registration by asking the following question:

"Do you want to register to vote or transfer your voter registration?"

If the applicant chooses to register or transfer a registration, the agent shall ask the following:

~~((1))~~ (a) "Are you a United States citizen?"

~~((2))~~ (b) "Are you or will you be eighteen years of age on or before the next election?"

If the applicant answers in the affirmative to both questions, the agent shall then request to see documented proof as required in subsection (2) of this section and if such documentation is provided the agent shall submit the registration or transfer. If the applicant answers in the negative to either question, or does not provide the required proof of citizenship, the agent shall not submit a voter registration application.

(2) An applicant must provide documented proof of citizenship before he or she may be allowed to register. Documented proof of citizenship includes:

(a) A driver's license number or government-issued identification if citizenship is indicated;

(b) A photocopy of a birth certificate;

(c) A passport; or

(d) Naturalization documents or a certificate of naturalization.

(3) The department shall establish a procedure that substantially meets the requirements of subsection (1) of this section when permitting an applicant to renew a license or identicard by mail or by electronic commerce."

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

Representatives Upthegrove and Short spoke against the adoption of the amendment.

Amendment (1120) was not adopted.

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

Representatives Upthegrove, Short and Short (again) spoke in favor of the passage of the bill.

Representative Morris spoke against the passage of the bill.

COLLOQUY

Representative Short: "Is it the legislature's intent to include paper manufacturing and paper converting as part of industrial pulping as referenced in Section 3(2)(j) of this bill?"

Representative Upthegrove: "Yes, it is the legislature's intent to include all aspects of industrial pulping, including paper manufacturing and paper converting when referring to industrial pulping for the purposes of Section 3(2)(j) of this bill."

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5575.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5575, and the bill passed the House by the following vote: Yeas, 89; Nays, 9; 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, Fitzgibbon, Goodman, Green, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Klippert, Kretz, Kristiansen, Lias, Lytton, Maxwell, McCune, Miloscia, Moeller, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, 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.

Voting nay: Representatives Finn, Haigh, Hudgins, Hunt, Kirby, Ladenburg, McCoy, Morris and Roberts.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5575, having received the necessary constitutional majority, was declared passed.

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

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

HOUSE BILL NO. 1820
HOUSE BILL NO. 2814

ENGROSSED SENATE BILL NO. 5159
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5188
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5366
SUBSTITUTE SENATE BILL NO. 5381
ENGROSSED SUBSTITUTE SENATE BILL NO. 5895
SUBSTITUTE SENATE BILL NO. 5966
SENATE BILL NO. 5981
ENGROSSED SUBSTITUTE SENATE BILL NO. 5991
SUBSTITUTE SENATE BILL NO. 6038
SENATE BILL NO. 6046
SENATE BILL NO. 6095
ENGROSSED SUBSTITUTE SENATE BILL NO. 6103
SECOND SUBSTITUTE SENATE BILL NO. 6120
SENATE BILL NO. 6131
SENATE BILL NO. 6134
SENATE BILL NO. 6171
SUBSTITUTE SENATE BILL NO. 6208
SUBSTITUTE SENATE BILL NO. 6226
ENGROSSED SUBSTITUTE SENATE BILL NO. 6237
SUBSTITUTE SENATE BILL NO. 6325
SUBSTITUTE SENATE BILL NO. 6328
ENGROSSED SUBSTITUTE SENATE BILL NO. 6383
SUBSTITUTE SENATE BILL NO. 6384
SUBSTITUTE SENATE BILL NO. 6386
SUBSTITUTE SENATE BILL NO. 6387
ENGROSSED SUBSTITUTE SENATE BILL NO. 6445
ENGROSSED SUBSTITUTE SENATE BILL NO. 6455
ENGROSSED SUBSTITUTE SENATE BILL NO. 6486
SENATE BILL NO. 6523
ENGROSSED SUBSTITUTE SENATE BILL NO. 6582

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

There being no objection, the House adjourned until 1:30 p.m., February 29, 2012, the 52nd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

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5366-S2	
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5627-S	
President Signed	9
5631-S	
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5895-S	
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5913	
President Signed	9
5966-S	
Other Action	22
5981	
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6005-S	
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6103-S	
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President Signed.....	9
6120-S2	
Other Action.....	22
6121-S	
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6131	
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President Signed.....	9
6157	
Second Reading.....	5
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6171	
Other Action.....	22
6172	
President Signed.....	9
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Second Reading.....	5
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Third Reading Final Passage.....	6
6187-S	
Second Reading.....	6
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6208-S	
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6226-S	
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6237-S	
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6251-S	
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6252-S	
President Signed.....	9
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President Signed.....	9
6289	
President Signed.....	9
6295-S	
President Signed.....	9
6296	
Second Reading.....	6
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6315-S	
President Signed.....	9

6325-S	Other Action.....	22
6328-S	Other Action.....	22
6355-S	Second Reading.....	7
	Third Reading Final Passage.....	7
6383-S	Other Action.....	23
6384-S	Other Action.....	23
6385	Second Reading.....	7
	Third Reading Final Passage.....	7
6386-S	Other Action.....	23
6387-S	Other Action.....	23
6423-S	Second Reading.....	7
	Third Reading Final Passage.....	8
6445-S	Other Action.....	23
6455-S	Other Action.....	23
6465	Second Reading.....	8
	Third Reading Final Passage.....	8
6472-S	Second Reading.....	8
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6486-S	Other Action.....	23
6523	Other Action.....	23
6566	President Signed.....	9
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