
FIFTY FIFTH DAY

House Chamber, Olympia, Saturday, March 9, 2013

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 Sean McKechnie and Steve Traff. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Jan Angel, 26th District.

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 fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 1995 by Representatives Hudgins, Stanford, Riccelli, Sells, Green, Ormsby, Hunt and Appleton

AN ACT Relating to state contracts for call center services; adding a new section to chapter 39.26 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Government Operations & Elections.

HB 1996 by Representative Orcutt

AN ACT Relating to environmental standards related to transportation projects; amending RCW 47.01.290, 90.48.260, and 77.55.021; adding a new section to chapter 43.21C RCW; and adding a new section to chapter 77.55 RCW.

Referred to Committee on Environment.

ESB 5048 by Senators Sheldon, Benton and Hargrove

AN ACT Relating to notice against trespass; and reenacting and amending RCW 9A.52.010.

Referred to Committee on Judiciary.

SSB 5088 by Senate Committee on Transportation (originally sponsored by Senators Benton, Rivers, Holmquist Newbry, Honeyford and Becker)

AN ACT Relating to the establishment of high capacity transportation corridor areas; and amending RCW 81.104.200.

Referred to Committee on Transportation.

ESB 5105 by Senators Dammeier, Harper and Pearson

AN ACT Relating to conditions under which the department of corrections provides rental vouchers to an offender; amending RCW 9.94A.729; and adding a new section to chapter 72.09 RCW.

Referred to Committee on Public Safety.

ESSB 5138 by Senate Committee on Ways & Means (originally sponsored by Senators Parlette and Hargrove)

AN ACT Relating to improving the management of state debt; amending RCW 43.88.030 and 43.88.031; reenacting and amending RCW 39.42.070; adding a new section to chapter 39.42 RCW; adding a new section to chapter 43.08 RCW; adding a new section to chapter 43.88 RCW; creating a new section; and repealing 2011 1st sp.s. c 46 ss 1 and 2 (uncodified).

Referred to Committee on Capital Budget.

SSB 5182 by Senate Committee on Transportation (originally sponsored by Senators Carrell, Harper, King, Chase, Smith, Eide, Hobbs and Schlicher)

AN ACT Relating to the disclosure of vehicle owner information; reenacting and amending RCW 46.12.635; and providing an effective date.

Referred to Committee on Judiciary.

2SSB 5199 by Senate Committee on Ways & Means (originally sponsored by Senators Ericksen and Holmquist Newbry)

AN ACT Relating to de facto changes in water rights for irrigation purposes that involved conversion to more efficient irrigation technologies; adding a new section to chapter 90.03 RCW; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

SSB 5264 by Senate Committee on Transportation (originally sponsored by Senators Benton, Mullet, Baumgartner and Sheldon)

AN ACT Relating to the transportation and storage of certain explosive devices; and amending RCW 70.74.191.

Referred to Committee on Judiciary.

SSB 5315 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Becker, Dammeier, Rivers, Padden and Roach)

AN ACT Relating to the implementation of the recommendations made by the Powell fatality team; amending RCW 13.34.136, 13.34.380, and 74.14B.010;

reenacting and amending RCW 13.34.130; and adding a new section to chapter 13.34 RCW.

Referred to Committee on Early Learning & Human Services.

E2SSB 5329 by Senate Committee on Ways & Means (originally sponsored by Senators Litzow, Hobbs, Fain, Hatfield, Tom, Frockt and Roach)

AN ACT Relating to transforming persistently failing schools; amending RCW 28A.657.050, 28A.657.050, 28A.657.060, 28A.657.090, and 28A.657.100; adding new sections to chapter 28A.657 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Education.

SSB 5332 by Senate Committee on Governmental Operations (originally sponsored by Senators Roach, Nelson, Rolfes, Conway, Fain and Delvin)

AN ACT Relating to voter-approved benefit charges for fire protection districts; and amending RCW 52.18.050.

Referred to Committee on Local Government.

ESB 5378 by Senators Benton, Schoesler, Bailey, Carrell, Becker, Holmquist Newbry, Sheldon, Ericksen and Dammeier

AN ACT Relating to a six-year time frame for substantial building code amendments; amending RCW 19.27.074, 19.27A.045, and 19.27A.025; and creating a new section.

Referred to Committee on Local Government.

SSB 5416 by Senate Committee on Health Care (originally sponsored by Senators Bailey, Schlicher, Becker and Keiser)

AN ACT Relating to prescription information; amending RCW 69.41.010, 69.50.308, and 69.50.312; and reenacting and amending RCW 69.50.101.

Referred to Committee on Health Care & Wellness.

SSB 5437 by Senate Committee on Law & Justice (originally sponsored by Senators Padden, Hargrove, Roach, Kline, Sheldon, Pearson and Chase)

AN ACT Relating to boating safety; amending RCW 79A.60.040, 10.31.100, and 79A.60.150; reenacting and amending RCW 7.80.120; adding new sections to chapter 79A.60 RCW; and prescribing penalties.

Referred to Committee on Public Safety.

SB 5465 by Senators Dammeier, Schlicher, Becker, Keiser and McAuliffe

AN ACT Relating to exemptions from licensure as a physical therapist; and amending RCW 18.74.150 and 18.74.180.

Referred to Committee on Health Care & Wellness.

SB 5496 by Senators Braun, Fain, Hatfield, Hargrove, Dammeier, Chase and Kohl-Welles

AN ACT Relating to authorizing approval of online school programs in private schools; adding a new section to chapter 28A.195 RCW; and creating new sections.

Referred to Committee on Education.

SSB 5523 by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Benton and Roach)

AN ACT Relating to the property taxation of mobile homes and park model trailers; amending RCW 46.44.170; and adding a new section to chapter 84.56 RCW.

Referred to Committee on Finance.

ESSB 5709 by Senate Committee on Ways & Means (originally sponsored by Senators Smith, Ericksen, Sheldon, Holmquist Newbry, Dammeier, Brown and Roach)

AN ACT Relating to a pilot program to demonstrate the feasibility of using densified biomass to heat public schools; and creating new sections.

Referred to Committee on Environment.

2SSB 5732 by Senate Committee on Ways & Means (originally sponsored by Senators Carrell, Darneille, Keiser and Pearson)

AN ACT Relating to improving behavioral health services provided to adults in Washington state; amending RCW 71.24.025; adding a new section to chapter 43.20A RCW; adding a new section to chapter 70.97 RCW; adding a new section to chapter 71.05 RCW; creating a new section; providing an effective date; and providing expiration dates.

Referred to Committee on Health Care & Wellness.

SB 5748 by Senator Roach

AN ACT Relating to extending contribution limits to candidates for public hospital district boards of commissioners; and amending RCW 42.17A.405.

Referred to Committee on Government Operations & Elections.

ESSB 5753 by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Hobbs, Tom, Hewitt, King and McAuliffe)

AN ACT Relating to flexibility in the education system; amending RCW 28A.150.520, 28A.300.118, 28A.300.150, 28A.655.061, and 39.35D.040; repealing RCW 28A.220.050, 28A.220.080, 28A.230.150, and 28A.320.185; providing an expiration date; and declaring an emergency.

Referred to Committee on Education.

SSB 5774 by Senate Committee on Commerce & Labor (originally sponsored by Senators Hewitt, Holmquist

Newbry, McAuliffe, Bailey, Keiser, Conway, Schoesler, Kohl-Welles, Mullet and Kline)

AN ACT Relating to authorizing applications for a special permit to allow alcohol tasting by persons at least eighteen years of age under certain circumstances; and amending RCW 66.20.010.

Referred to Committee on Government Accountability & Oversight.

ESB 5843 by Senators Tom, Billig, Hill, Hobbs, Murray, Darneille, Kohl-Welles, Conway and Frockt

AN ACT Relating to strengthening the review of the legislature's goals for tax preferences by requiring that every new tax preference provide a statement of legislative intent and include an expiration date where applicable; adding a new section to chapter 43.135 RCW; adding a new section to chapter 82.02 RCW; and creating a new section.

Referred to Committee on Finance.

SJM 8005 by Senators Hargrove, King, Sheldon, Eide, Hobbs, Hatfield, Benton, Padden, Shin and Chase

Requesting that state route number 117 be designated as the POW/MIA Memorial Highway.

Referred to Committee on Transportation.

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

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

SECOND READING

HOUSE BILL NO. 1826, by Representative Morris

Updating integrated resource plan requirements to address changing energy markets.

The bill was read the second time.

Representative Morris moved the adoption of amendment (142).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 19.280.010 and 2006 c 195 s 1 are each amended to read as follows:

It is the intent of the legislature to encourage the development of new safe, clean, and reliable energy resources to meet demand in Washington for affordable and reliable electricity. To achieve this end, the legislature finds it essential that electric utilities in Washington develop comprehensive resource plans that explain the mix of generation and demand-side resources they plan to use to meet their customers' electricity needs in both the short term and the long term. The legislature intends that information obtained from integrated resource planning under this chapter will be used to assist in identifying and developing: (1) New energy generation(;;); (2) conservation and efficiency resources(;;); (3) methods, commercially available technologies, and facilities for integrating renewable

resources, including to address an overgeneration event; and (4) related infrastructure to meet the state's electricity needs.

Sec. 2. RCW 19.280.020 and 2009 c 565 s 19 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Commission" means the utilities and transportation commission.

(2) "Conservation and efficiency resources" means any reduction in electric power consumption that results from increases in the efficiency of energy use, production, transmission, or distribution.

(3) "Consumer-owned utility" includes a municipal electric utility formed under Title 35 RCW, a public utility district formed under Title 54 RCW, an irrigation district formed under chapter 87.03 RCW, a cooperative formed under chapter 23.86 RCW, a mutual corporation or association formed under chapter 24.06 RCW, a port district formed under Title 53 RCW, or a water-sewer district formed under Title 57 RCW, that is engaged in the business of distributing electricity to one or more retail electric customers in the state.

(4) "Department" means the department of commerce.

(5) "Electric utility" means a consumer-owned or investor-owned utility.

(6) "Full requirements customer" means an electric utility that relies on the Bonneville power administration for all power needed to supply its total load requirement other than that served by nondispatchable generating resources totaling no more than six megawatts or renewable resources.

(7) "Governing body" means the elected board of directors, city council, commissioners, or board of any consumer-owned utility.

(8) "High efficiency cogeneration" means the sequential production of electricity and useful thermal energy from a common fuel source, where, under normal operating conditions, the facility has a useful thermal energy output of no less than thirty-three percent of the total energy output.

(9) "Integrated resource plan" means an analysis describing the mix of generating resources (~~and~~), conservation, various technologies and resources to integrate renewable resources, including to address an overgeneration event, and efficiency resources that will meet current and projected needs at the lowest reasonable cost to the utility and its ratepayers and that complies with the requirements specified in RCW 19.280.030(1).

(10) "Investor-owned utility" means a corporation owned by investors that meets the definition in RCW 80.04.010 and is engaged in distributing electricity to more than one retail electric customer in the state.

(11) "Lowest reasonable cost" means the lowest cost mix of generating resources and conservation and efficiency resources determined through a detailed and consistent analysis of a wide range of commercially available resources. At a minimum, this analysis must consider resource cost, market-volatility risks, demand-side resource uncertainties, resource dispatchability, resource effect on system operation, the risks imposed on the utility and its ratepayers, public policies regarding resource preference adopted by Washington state or the federal government, and the cost of risks associated with environmental effects including emissions of carbon dioxide.

(12) "Plan" means either an "integrated resource plan" or a "resource plan."

(13) "Renewable resources" means electricity generation facilities fueled by: (a) Water; (b) wind; (c) solar energy; (d) geothermal energy; (e) landfill gas; (f) biomass energy utilizing animal waste, solid organic fuels from wood, forest, or field residues or dedicated energy crops that do not include wood pieces that have been treated with chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenic; (g) by-products of pulping or wood manufacturing processes, including but not limited to bark, wood

chips, sawdust, and lignin in spent pulping liquors; (h) ocean thermal, wave, or tidal power; or (i) gas from sewage treatment facilities.

(14) "Resource plan" means an assessment that estimates electricity loads and resources over a defined period of time and complies with the requirements in RCW 19.280.030(2).

(15) "Overgeneration event" means an event within an operating period of a balancing authority when the electricity supply, including generation from intermittent renewable resources, exceeds the demand for electricity for that utility's energy delivery obligations and a negatively priced regional market.

Sec. 3. RCW 19.280.030 and 2011 c 180 s 305 are each amended to read as follows:

Each electric utility must develop a plan consistent with this section.

(1) Utilities with more than twenty-five thousand customers that are not full requirements customers shall develop or update an integrated resource plan by September 1, 2008. At a minimum, progress reports reflecting changing conditions and the progress of the integrated resource plan must be produced every two years thereafter. An updated integrated resource plan must be developed at least every four years subsequent to the 2008 integrated resource plan. The integrated resource plan, at a minimum, must include:

(a) A range of forecasts, for at least the next ten years or longer, of projected customer demand which takes into account econometric data and customer usage;

(b) An assessment of commercially available conservation and efficiency resources. Such assessment may include, as appropriate, high efficiency cogeneration, demand response and load management programs, and currently employed and new policies and programs needed to obtain the conservation and efficiency resources;

(c) An assessment of commercially available, utility scale renewable and nonrenewable generating technologies including a comparison of the benefits and risks of purchasing power or building new resources;

(d) A comparative evaluation of renewable and nonrenewable generating resources, including transmission and distribution delivery costs, and conservation and efficiency resources using "lowest reasonable cost" as a criterion;

(e) An assessment of methods, commercially available technologies, or facilities for integrating renewable resources, including to address an overgeneration event, if applicable to the utility's resource portfolio;

(f) The integration of the demand forecasts and resource evaluations into a long-range assessment describing the mix of supply side generating resources and conservation and efficiency resources that will meet current and projected needs at the lowest reasonable cost and risk to the utility and its ratepayers; and

~~((f))~~ (g) A short-term plan identifying the specific actions to be taken by the utility consistent with the long-range integrated resource plan.

(2) All other utilities may elect to develop a full integrated resource plan as set forth in subsection (1) of this section or, at a minimum, shall develop a resource plan that:

(a) Estimates loads for the next five and ten years;

(b) Enumerates the resources that will be maintained and/or acquired to serve those loads; and

(c) Explains why the resources in (b) of this subsection were chosen and, if the resources chosen are not: (i) Renewable resources ~~((i))~~; (ii) methods, commercially available technologies, or facilities for integrating renewable resources, including to address an overgeneration event; or (iii) conservation and efficiency resources, why such a decision was made.

(3) An electric utility that is required to develop a resource plan under this section must complete its initial plan by September 1, 2008.

(4) Resource plans developed under this section must be updated on a regular basis, at a minimum on intervals of two years.

(5) Plans shall not be a basis to bring legal action against electric utilities.

(6) Each electric utility shall publish its final plan either as part of an annual report or as a separate document available to the public. The report may be in an electronic form.

Sec. 4. RCW 19.280.060 and 2006 c 195 s 6 are each amended to read as follows:

The department shall review the plans of consumer-owned utilities and investor-owned utilities, and data available from other state, regional, and national sources, and prepare an electronic report to the legislature aggregating the data and assessing the overall adequacy of Washington's electricity supply. The report shall include a statewide summary of utility load forecasts, load/resource balance, and utility plans for the development of thermal generation, renewable resources, ~~((and))~~ conservation and efficiency resources, and an examination of assessment methods used by utilities to address overgeneration events. The commission shall provide the department with data summarizing the plans of investor-owned utilities for use in the department's statewide summary. The department may submit its report within the biennial report required under RCW 43.21F.045." Correct the title.

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

Amendment (142) was adopted.

The bill was ordered engrossed.

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

Representatives Morris and Short spoke in favor of the passage of the bill.

MOTION

On motion of Representative Van De Wege, Representative Freeman was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1826.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1826, and the bill passed the House by the following vote: Yeas, 87; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Sequist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, Hawkins, Holy, MacEwen, Overstreet, Pike, Scott, Shea, Taylor and Vick.

Excused: Representative Freeman.

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

HOUSE BILL NO. 1866, by Representatives Morris, Smith, Lias, Maxwell, Morrell, Habib, Ryu, Sells, Hansen and Hudgins

Concerning the joint center for aerospace technology innovation.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1866 was substituted for House Bill No. 1866 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1866 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 Morris and Smith spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1866.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1866, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Overstreet, Scott and Taylor.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1866, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1306, by Representatives Wylie, Moeller, Harris, Pike, Johnson, Chandler, Sells, Pollet, Upthegrove and Moscoso

Extending the expiration dates of the local infrastructure financing tool program.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1306 was substituted for House Bill No. 1306 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1306 was read the second time.

Representative Morris moved the adoption of amendment (213).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 39.102 RCW to read as follows:

This chapter expires June 30, 2044.

NEW SECTION. Sec. 2. RCW 39.102.904 (Expiration date--2006 c 181) and 2006 c 181 s 707 are each repealed.

Sec. 3. RCW 82.14.475 and 2010 c 164 s 12 are each amended to read as follows:

(1) A sponsoring local government, and any cosponsoring local government, that has been approved by the board to use local infrastructure financing may impose a sales and use tax in accordance with the terms of this chapter and subject to the criteria set forth in this section. Except as provided in this section, the tax is in addition to other taxes authorized by law and is collected from those persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the taxing jurisdiction of the sponsoring local government or cosponsoring local government.

(2) The tax authorized under subsection (1) of this section is credited against the state taxes imposed under RCW 82.08.020(1) and 82.12.020 at the rate provided in RCW 82.08.020(1). The department must perform the collection of such taxes on behalf of the sponsoring local government or cosponsoring local government at no cost to the sponsoring local government or cosponsoring local government and must remit the taxes as provided in RCW 82.14.060.

(3) The aggregate rate of tax imposed by the sponsoring local government, and any cosponsoring local government, must not exceed the lesser of:

(a) The rate provided in RCW 82.08.020(1) less:

(i) The aggregate rates of all other local sales and use taxes imposed by any taxing authority on the same taxable events;

(ii) The aggregate rates of all taxes under RCW 82.14.465 and this section that are authorized to be imposed on the same taxable events but have not yet been imposed by a sponsoring local government or cosponsoring local government that has been approved by the department or the community economic revitalization board to receive a state contribution under chapter 39.100 or 39.102 RCW; and

(iii) The percentage amount of distributions required under RCW 82.08.020(5) multiplied by the rate of state taxes imposed under RCW 82.08.020(1); and

(b) The rate, as determined by the sponsoring local government, and any cosponsoring local government, in consultation with the department, reasonably necessary to receive the state contribution over ten months.

(4) Sponsoring local governments that have been approved before October 1, 2008, by the community economic revitalization board for a state contribution must select the rate of tax under this section no later than September 1, 2009.

(5) The department, upon request, must assist a sponsoring local government and cosponsoring local government in establishing their

tax rate in accordance with subsection (3) of this section. Once the rate of tax is selected, it may not be increased.

(6)(a) No tax may be imposed under the authority of this section:

(i) Before July 1st of the second calendar year following the year approval by the board under RCW 39.102.040 was made; and

(ii) Until a sponsoring local government reports to the board and the department as required by RCW 39.102.140 that the state has benefited through the receipt of state excise tax allocation revenues or state property tax allocation revenues, or both.

(b) The tax imposed under this section expires when all indebtedness issued under the authority of RCW 39.102.150 is retired and all other contractual obligations relating to the financing of public improvements under chapter 39.102 RCW are satisfied, but not more than twenty-five years after the tax is first imposed.

(7) An ordinance adopted by the legislative authority of a sponsoring local government or cosponsoring local government imposing a tax under this section must provide that:

(a) The tax is first imposed on the first day of a fiscal year;

(b) The cumulative amount of tax received by the sponsoring local government, and any cosponsoring local government, in any fiscal year may not exceed the amount of the state contribution;

(c) The tax will cease to be distributed for the remainder of any fiscal year in which either:

(i) The amount of tax received by the sponsoring local government, and any cosponsoring local government, equals the amount of the state contribution;

(ii) The amount of revenue from taxes imposed under this section by all sponsoring and cosponsoring local governments equals the annual state contribution limit; or

(iii) The amount of tax received by the sponsoring local government equals the amount of project award granted in the approval notice described in RCW 39.102.040;

(d) Neither the local excise tax allocation revenues nor the local property tax allocation revenues may constitute more than eighty percent of the total local funds as described in RCW 39.102.020(~~((28))~~) (29)(b). This requirement applies beginning January 1st of the fifth calendar year after the calendar year in which the sponsoring local government begins allocating local excise tax allocation revenues under RCW 39.102.110;

(e) The tax must be distributed again, should it cease to be distributed for any of the reasons provided in (c) of this subsection, at the beginning of the next fiscal year, subject to the restrictions in this section; and

(f) Any revenue generated by the tax in excess of the amounts specified in (c) of this subsection belongs to the state of Washington.

(8) If a county and city cosponsor a revenue development area, the combined amount of distributions received by both the city and county may not exceed the state contribution.

(9) The department must determine the amount of tax receipts distributed to each sponsoring local government, and any cosponsoring local government, imposing sales and use tax under this section and shall advise a sponsoring or cosponsoring local government when tax distributions for the fiscal year equal the amount of state contribution for that fiscal year as provided in subsection (11) of this section. Determinations by the department of the amount of tax distributions attributable to each sponsoring or cosponsoring local government are final and may not be used to challenge the validity of any tax imposed under this section. The department must remit any tax receipts in excess of the amounts specified in subsection (7)(c) of this section to the state treasurer who must deposit the money in the general fund.

(10) If a sponsoring or cosponsoring local government fails to comply with RCW 39.102.140, no tax may be distributed in the subsequent fiscal year until such time as the sponsoring or cosponsoring local government complies and the department calculates the state contribution amount for such fiscal year.

(11) Each year, the amount of taxes approved by the department for distribution to a sponsoring or cosponsoring local government in the next fiscal year must be equal to the state contribution and may be no more than the total local funds as described in RCW 39.102.020(~~((28))~~) (29)(b). The department must consider information from reports described in RCW 39.102.140 when determining the amount of state contributions for each fiscal year. The department's determination of the amount of the state contribution is final and conclusive, and may not be changed once such determination is made and such contribution is distributed to the sponsoring or cosponsoring local government, unless the department subsequently determines that local revenue information contained in a report described in RCW 39.102.140 differs from the actual dedicated local revenue. If a discrepancy is found, the department must adjust its determination accordingly. A sponsoring or cosponsoring local government may not receive, in any fiscal year, more revenues from taxes imposed under the authority of this section than the amount approved annually by the department. The department may not approve the receipt of more distributions of sales and use tax under this section to a sponsoring or cosponsoring local government than is authorized under subsection (7) of this section.

(12) The amount of tax distributions received from taxes imposed under the authority of this section by all sponsoring and cosponsoring local governments is limited annually to not more than seven million five hundred thousand dollars.

(13) The definitions in RCW 39.102.020 apply to this section unless the context clearly requires otherwise.

(14) If a sponsoring local government is a federally recognized Indian tribe, the distribution of the sales and use tax authorized under this section must be authorized through an interlocal agreement pursuant to chapter 39.34 RCW.

(15) Subject to RCW 39.102.195, the tax imposed under the authority of this section may be applied either to provide for the payment of debt service on bonds issued under RCW 39.102.150 by the sponsoring local government or to pay public improvement costs on a pay-as-you-go basis, or both.

(16) The tax imposed under the authority of this section must cease to be imposed if the sponsoring local government or cosponsoring local government (~~(fails to issue indebtedness under the authority of RCW 39.102.150, and)~~) fails to commence construction on public improvements(,) by June (~~((30th of the fifth fiscal year in which the local tax authorized under this section is imposed))~~) 30, 2017.

(17) For purposes of this section, the following definitions apply:

(a) "Local sales and use taxes" means sales and use taxes imposed by cities, counties, public facilities districts, and other local governments under the authority of this chapter, chapter 67.28 or 67.40 RCW, or any other chapter, and that are credited against the state sales and use taxes.

(b) "State sales and use taxes" means the tax imposed in RCW 82.08.020(1) and the tax imposed in RCW 82.12.020 at the rate provided in RCW 82.08.020(1).

(18) This section expires June 30, 2044.

Sec. 4. RCW 39.102.150 and 2009 c 267 s 6 are each amended to read as follows:

(1) A sponsoring local government that has designated a revenue development area and instead of paying public improvement costs on a pay-as-you-go basis has been authorized the use of local infrastructure financing may incur general indebtedness, including issuing general obligation bonds, to finance the public improvements and retire the indebtedness in whole or in part from local excise tax allocation revenues, local property tax allocation revenues, and sales and use taxes imposed under the authority of RCW 82.14.475 that it receives, subject to the following requirements:

(a)(i) The ordinance adopted by the sponsoring local government and authorizing the use of local infrastructure financing indicates an

intent to incur this indebtedness and the maximum amount of this indebtedness that is contemplated; and

(ii) The sponsoring local government includes this statement of the intent in all notices required by RCW 39.102.100; or

(b) The sponsoring local government adopts a resolution, after opportunity for public comment, that indicates an intent to incur this indebtedness and the maximum amount of this indebtedness that is contemplated.

(2)(a) Except as provided in (b) of this subsection, the general indebtedness incurred under subsection (1) of this section may be payable from other tax revenues, the full faith and credit of the local government, and nontax income, revenues, fees, and rents from the public improvements, as well as contributions, grants, and nontax money available to the local government for payment of costs of the public improvements or associated debt service on the general indebtedness.

(b) A sponsoring local government that issues bonds under this section ~~((shall))~~ may not pledge any money received from the state of Washington for the payment of such bonds, other than the local sales and use taxes imposed under the authority of RCW 82.14.475 and collected by the department.

(3) In addition to the requirements in subsection (1) of this section, a sponsoring local government designating a revenue development area and authorizing the use of local infrastructure financing may require the nonpublic participant to provide adequate security to protect the public investment in the public improvement within the revenue development area.

(4) Bonds issued under this section ~~((shall))~~ must be authorized by ordinance of the governing body of the sponsoring local government and may be issued in one or more series and ~~((shall))~~ must bear such date or dates, be payable upon demand or mature at such time or times, bear interest at such rate or rates, be in such denomination or denominations, be in such form either coupon or registered as provided in RCW 39.46.030, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption with or without premium, be secured in such manner, and have such other characteristics, as may be provided by such ordinance or trust indenture or mortgage issued pursuant thereto.

(5) The sponsoring local government may annually pay into a fund to be established for the benefit of bonds issued under this section a fixed proportion or a fixed amount of any local excise tax allocation revenues and local property tax allocation revenues derived from property or business activity within the revenue development area containing the public improvements funded by the bonds, such payment to continue until all bonds payable from the fund are paid in full. The local government may also annually pay into the fund established in this section a fixed proportion or a fixed amount of any revenues derived from taxes imposed under RCW 82.14.475, such payment to continue until all bonds payable from the fund are paid in full. Revenues derived from taxes imposed under RCW 82.14.475 are subject to the use restriction in RCW 39.102.130.

(6) In case any of the public officials of the sponsoring local government whose signatures appear on any bonds or any coupons issued under this chapter ~~((shall))~~ cease to be such officials before the delivery of such bonds, such signatures ~~((shall))~~, nevertheless, ~~((be))~~ are valid and sufficient for all purposes, the same as if such officials had remained in office until such delivery. Any provision of any law to the contrary notwithstanding, any bonds issued under this chapter are fully negotiable.

(7) Notwithstanding subsections (4) through (6) of this section, bonds issued under this section may be issued and sold in accordance with chapter 39.46 RCW.

Sec. 5. RCW 39.102.140 and 2009 c 518 s 12 and 2009 c 267 s 5 are each reenacted and amended to read as follows:

(1) A sponsoring local government shall provide a report to the board and the department by March 1st of each year. The report shall contain the following information:

(a) The amount of local excise tax allocation revenues, local property tax allocation revenues, other revenues from local public sources, and taxes under RCW 82.14.475 received by the sponsoring local government, cosponsoring local government, or any participating local government during the preceding calendar year that were dedicated to pay the public improvements financed in whole or in part with local infrastructure financing, and a summary of how these revenues were expended;

(b) The names of any businesses locating within the revenue development area as a result of the public improvements undertaken by the sponsoring local government and financed in whole or in part with local infrastructure financing;

(c) The total number of permanent jobs created in the revenue development area as a result of the public improvements undertaken by the sponsoring local government and financed in whole or in part with local infrastructure financing;

(d) The average wages and benefits received by all employees of businesses locating within the revenue development area as a result of the public improvements undertaken by the sponsoring local government and financed in whole or in part with local infrastructure financing;

(e) That the sponsoring local government is in compliance with RCW 39.102.070; and

(f) Beginning with the reports due March 1, 2010, the following must also be included:

(i) A list of public improvements financed on a pay-as-you-go basis in previous calendar years and by indebtedness issued under this chapter;

(ii) The date when any indebtedness issued under this chapter is expected to be retired;

(iii) At least once every three years, updated estimates of state excise tax allocation revenues, state property tax allocation revenues, and local excise tax increments, as determined by the sponsoring local government, that are estimated to have been received by the state, any participating local government, sponsoring local government, and cosponsoring local government, since the approval of the project award under RCW 39.102.040 by the board; and

(iv) Any other information required by the department or the board to enable the department or the board to fulfill its duties under this chapter and RCW 82.14.475.

(2) The board shall make a report available to the public and the legislature by June 1st of each even-numbered year. The report shall include a list of public improvements undertaken by sponsoring local governments and financed in whole or in part with local infrastructure financing and it shall also include a summary of the information provided to the department by sponsoring local governments under subsection (1) of this section.

(3) The department, upon request, must assist a sponsoring local government in estimating the amount of state excise tax allocation revenues and local excise tax increments required in subsection (1)(f)(iii) of this section.

Sec. 6. RCW 39.102.020 and 2010 c 164 s 11 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Annual state contribution limit" means seven million five hundred thousand dollars statewide per fiscal year.

(2) "Assessed value" means the valuation of taxable real property as placed on the last completed assessment roll.

(3) "Board" means the community economic revitalization board under chapter 43.160 RCW.

~~((4))~~ (4) "Dedicated" means pledged, set aside, allocated, received, budgeted, or otherwise identified.

~~((5))~~ (5) "Demonstration project" means one of the following projects:

- (a) Bellingham waterfront redevelopment project;
- (b) Spokane river district project at Liberty Lake; and
- (c) Vancouver riverwest project.

~~((5))~~ (6) "Department" means the department of revenue.

~~((6))~~ (7) "Fiscal year" means the twelve-month period beginning July 1st and ending the following June 30th.

~~((7))~~ (8) "Local excise tax allocation revenue" means an amount of local excise taxes equal to some or all of the sponsoring local government's local excise tax increment, amounts of local excise taxes equal to some or all of any participating local government's excise tax increment as agreed upon in the written agreement under RCW 39.102.080(1), or both, and dedicated to local infrastructure financing.

~~((8))~~ (9) "Local excise tax increment" means an amount equal to the estimated annual increase in local excise taxes in each calendar year following the approval of the revenue development area by the board from taxable activity within the revenue development area, as set forth in the application provided to the board under RCW 39.102.040, and updated in accordance with RCW 39.102.140(1)(f).

~~((9))~~ (10) "Local excise taxes" means local revenues derived from the imposition of sales and use taxes authorized in RCW 82.14.030.

~~((10))~~ (11) "Local government" means any city, town, county, port district, and any federally recognized Indian tribe.

~~((11))~~ (12) "Local infrastructure financing" means the use of revenues received from local excise tax allocation revenues, local property tax allocation revenues, other revenues from local public sources, and revenues received from the local option sales and use tax authorized in RCW 82.14.475, dedicated to pay either the principal and interest on bonds authorized under RCW 39.102.150 or to pay public improvement costs on a pay-as-you-go basis subject to RCW 39.102.195, or both.

~~((12))~~ (13) "Local property tax allocation revenue" means those tax revenues derived from the receipt of regular property taxes levied on the property tax allocation revenue value and used for local infrastructure financing.

~~((13))~~ (14) "Low-income housing" means residential housing for low-income persons or families who lack the means which is necessary to enable them, without financial assistance, to live in decent, safe, and sanitary dwellings, without overcrowding. For the purposes of this subsection, "low income" means income that does not exceed eighty percent of the median family income for the standard metropolitan statistical area in which the revenue development area is located.

~~((14))~~ (15) "Ordinance" means any appropriate method of taking legislative action by a local government.

~~((15))~~ (16) "Participating local government" means a local government having a revenue development area within its geographic boundaries that has entered into a written agreement with a sponsoring local government as provided in RCW 39.102.080 to allow the use of all or some of its local excise tax allocation revenues or other revenues from local public sources dedicated for local infrastructure financing.

~~((16))~~ (17) "Participating taxing district" means a local government having a revenue development area within its geographic boundaries that has entered into a written agreement with a sponsoring local government as provided in RCW 39.102.080 to allow the use of some or all of its local property tax allocation revenues or other revenues from local public sources dedicated for local infrastructure financing.

~~((17))~~ (18) "Property tax allocation revenue base value" means the assessed value of real property located within a revenue development area less the property tax allocation revenue value.

~~((18))~~ (19)(a)(i) "Property tax allocation revenue value" means seventy-five percent of any increase in the assessed value of real property in a revenue development area resulting from:

(A) The placement of new construction, improvements to property, or both, on the assessment roll, where the new construction and improvements are initiated after the revenue development area is approved by the board;

(B) The cost of new housing construction, conversion, and rehabilitation improvements, when such cost is treated as new construction for purposes of chapter 84.55 RCW as provided in RCW 84.14.020, and the new housing construction, conversion, and rehabilitation improvements are initiated after the revenue development area is approved by the board;

(C) The cost of rehabilitation of historic property, when such cost is treated as new construction for purposes of chapter 84.55 RCW as provided in RCW 84.26.070, and the rehabilitation is initiated after the revenue development area is approved by the board.

(ii) Increases in the assessed value of real property in a revenue development area resulting from (a)(i)(A) through (C) of this subsection are included in the property tax allocation revenue value in the initial year. These same amounts are also included in the property tax allocation revenue value in subsequent years unless the property becomes exempt from property taxation.

(b) "Property tax allocation revenue value" includes seventy-five percent of any increase in the assessed value of new construction consisting of an entire building in the years following the initial year, unless the building becomes exempt from property taxation.

(c) Except as provided in (b) of this subsection, "property tax allocation revenue value" does not include any increase in the assessed value of real property after the initial year.

(d) There is no property tax allocation revenue value if the assessed value of real property in a revenue development area has not increased as a result of any of the reasons specified in (a)(i)(A) through (C) of this subsection.

(e) For purposes of this subsection, "initial year" means:

(i) For new construction and improvements to property added to the assessment roll, the year during which the new construction and improvements are initially placed on the assessment roll;

(ii) For the cost of new housing construction, conversion, and rehabilitation improvements, when such cost is treated as new construction for purposes of chapter 84.55 RCW, the year when such cost is treated as new construction for purposes of levying taxes for collection in the following year; and

(iii) For the cost of rehabilitation of historic property, when such cost is treated as new construction for purposes of chapter 84.55 RCW, the year when such cost is treated as new construction for purposes of levying taxes for collection in the following year.

~~((19))~~ (20) "Public improvement costs" means the cost of: (a) Design, planning, acquisition including land acquisition, site preparation including land clearing, construction, reconstruction, rehabilitation, improvement, and installation of public improvements; (b) demolishing, relocating, maintaining, and operating property pending construction of public improvements; (c) the local government's portion of relocating utilities as a result of public improvements; (d) financing public improvements, including interest during construction, legal and other professional services, taxes, insurance, principal and interest costs on general indebtedness issued to finance public improvements, and any necessary reserves for general indebtedness; (e) assessments incurred in revaluing real property for the purpose of determining the property tax allocation revenue base value that are in excess of costs incurred by the assessor in accordance with the revaluation plan under chapter 84.41 RCW, and the costs of apportioning the taxes and complying with this chapter and other applicable law; (f) administrative expenses and feasibility studies reasonably necessary and related to these costs; and (g) any of the above-described costs that may have been incurred

before adoption of the ordinance authorizing the public improvements and the use of local infrastructure financing to fund the costs of the public improvements.

~~((20))~~ (21) "Public improvements" means:

(a) Infrastructure improvements within the revenue development area that include:

- (i) Street, bridge, and road construction and maintenance, including highway interchange construction;
- (ii) Water and sewer system construction and improvements, including wastewater reuse facilities;
- (iii) Sidewalks, traffic controls, and streetlights;
- (iv) Parking, terminal, and dock facilities;
- (v) Park and ride facilities of a transit authority;
- (vi) Park facilities and recreational areas, including trails; and
- (vii) Storm water and drainage management systems;

(b) Expenditures for facilities and improvements that support affordable housing as defined in RCW 43.63A.510.

~~((21))~~ (22) "Real property" has the same meaning as in RCW 84.04.090 and also includes any privately owned improvements located on publicly owned land that are subject to property taxation.

~~((22))~~ (23) "Regular property taxes" means regular property taxes as defined in RCW 84.04.140, except: (a) Regular property taxes levied by public utility districts specifically for the purpose of making required payments of principal and interest on general indebtedness; (b) regular property taxes levied by the state for the support of the common schools under RCW 84.52.065; and (c) regular property taxes authorized by RCW 84.55.050 that are limited to a specific purpose. "Regular property taxes" do not include excess property tax levies that are exempt from the aggregate limits for junior and senior taxing districts as provided in RCW 84.52.043.

~~((23))~~ (24) "Relocating a business" means the closing of a business and the reopening of that business, or the opening of a new business that engages in the same activities as the previous business, in a different location within a one-year period, when an individual or entity has an ownership interest in the business at the time of closure and at the time of opening or reopening. "Relocating a business" does not include the closing and reopening of a business in a new location where the business has been acquired and is under entirely new ownership at the new location, or the closing and reopening of a business in a new location as a result of the exercise of the power of eminent domain.

~~((24))~~ (25) "Revenue development area" means the geographic area adopted by a sponsoring local government and approved by the board, from which local excise and property tax allocation revenues are derived for local infrastructure financing.

~~((25))~~ (26)(a) "Revenues from local public sources" means:

(i) Amounts of local excise tax allocation revenues and local property tax allocation revenues, dedicated by sponsoring local governments, participating local governments, and participating taxing districts, for local infrastructure financing; and

(ii) Any other local revenues, except as provided in (b) of this subsection, including revenues derived from federal and private sources.

(b) Revenues from local public sources do not include any local funds derived from state grants, state loans, or any other state moneys including any local sales and use taxes credited against the state sales and use taxes imposed under chapter 82.08 or 82.12 RCW.

~~((26))~~ (27) "Small business" has the same meaning as provided in RCW 19.85.020.

~~((27))~~ (28) "Sponsoring local government" means a city, town, or county, and for the purpose of this chapter a federally recognized Indian tribe or any combination thereof, that adopts a revenue development area and applies to the board to use local infrastructure financing.

~~((28))~~ (29) "State contribution" means the lesser of:

- (a) One million dollars;

(b) The total amount of local excise tax allocation revenues, local property tax allocation revenues, and other revenues from local public sources, that are dedicated by a sponsoring local government, any participating local governments, and participating taxing districts, in the preceding calendar year to the payment of principal and interest on bonds issued under RCW 39.102.150 or to pay public improvement costs on a pay-as-you-go basis subject to RCW 39.102.195, or both;

(c) The amount of project award granted by the board in the notice of approval to use local infrastructure financing under RCW 39.102.040; or

(d) The highest amount of state excise tax allocation revenues and state property tax allocation revenues for any one calendar year as determined by the sponsoring local government and reported to the board and the department as required by RCW 39.102.140.

~~((29))~~ (30) "State excise tax allocation revenue" means an amount equal to the annual increase in state excise taxes estimated to be received by the state in each calendar year following the approval of the revenue development area by the board, from taxable activity within the revenue development area as set forth in the application provided to the board under RCW 39.102.040 and periodically updated and reported as required in RCW 39.102.140(1)(f).

~~((30))~~ (31) "State excise taxes" means revenues derived from state retail sales and use taxes under RCW 82.08.020(1) and 82.12.020 at the rate provided in RCW 82.08.020(1), less the amount of tax distributions from all local retail sales and use taxes, other than the local sales and use taxes authorized by RCW 82.14.475 for the applicable revenue development area, imposed on the same taxable events that are credited against the state retail sales and use taxes under chapters 82.08 and 82.12 RCW.

~~((31))~~ (32) "State property tax allocation revenue" means an amount equal to the estimated tax revenues derived from the imposition of property taxes levied by the state for the support of common schools under RCW 84.52.065 on the property tax allocation revenue value, as set forth in the application submitted to the board under RCW 39.102.040 and updated annually in the report required under RCW 39.102.140(1)(f).

~~((32))~~ (33) "Taxing district" means a government entity that levies or has levied for it regular property taxes upon real property located within a proposed or approved revenue development area."

Correct the title.

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

Representative Dahlquist spoke against the adoption of the amendment.

Amendment (213) was adopted.

The bill was ordered engrossed.

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

Representatives Wylie, Crouse and Morris spoke in favor of the passage of the bill.

Representative Dahlquist 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. 1306.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1306, and the bill passed the House by the following vote: Yeas, 81; Nays, 16; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Chandler, Clibborn, Cody, Crouse, DeBolt, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hayes, Holy, Hope, Hudgins, Hunt, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Riccelli, Roberts, Ryu, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Carlyle, Condotta, Dahlquist, Fagan, Hawkins, Hunter, Hurst, Kristiansen, Overstreet, Reykdal, Rodne, Ross, Santos, Scott and Taylor.

Excused: Representative Freeman.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1306, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1395, by Representatives Sells, Manweller, Reykdal, Wylie, Chandler, Condotta, Hunt, Van De Wege, Green, Warnick, Appleton and Morrell

Implementing the unemployment insurance integrity provisions of the federal trade adjustment assistance extension act of 2011.

The bill was read the second time.

Representative Sells moved the adoption of amendment (247).

On page 9, beginning on line 12, after "failure" strike all material through "failures" on line 13

On page 9, beginning on line 15, after "subsection." strike all material through "(a)" on line 16

On page 9, beginning on line 19, strike all of subsection (b)

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

Representative Manweller spoke against the adoption of the amendment.

Amendment (247) was adopted.

The bill was ordered engrossed.

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

Representatives Sells and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1395.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1395, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Overstreet, Scott and Taylor.

Excused: Representative Freeman.

ENGROSSED HOUSE BILL NO. 1395, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1468, by Representatives Sells, Reykdal, Manweller, Condotta, Ormsby, Van De Wege, Fagan and Green

Modifying payment methods on certain claimants' benefits.

The bill was read the second time.

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

Representatives Sells and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1468.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1468, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Freeman.

HOUSE BILL NO. 1468, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1473, by Representatives Sells, McCoy, Morrell, Roberts, Takko, Lytton, Green, Ormsby, Bergquist, Freeman, Pollet and Tarleton

Requiring certain entities to report payments for construction services.

The bill was read the second time.

Representative Sells moved the adoption of amendment (34).

On page 1, line 11, after "department." insert "The requirement to report payments under this section begins with payments made in the 2014 taxable year."

Representatives Sells and Manweller spoke in favor of the adoption of the amendment.

Amendment (34) was adopted.

Representative Haler moved the adoption of amendment (54).

On page 1, line 19, after "number;" insert "and"

On page 2, beginning on line 3, after "services" strike all material through "rule" on line 4

Representatives Haler and Sells spoke in favor of the adoption of the amendment.

Amendment (54) was adopted.

The bill was ordered engrossed.

There being no objection, the House deferred action on. ENGROSSED HOUSE BILL NO. 1473, and the bill held its place on the second reading calendar.

HOUSE BILL NO. 1568, by Representatives Carlyle, Nealey and Ryu

Concerning the business licensing service program administered by the department of revenue.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1568 was substituted for House Bill No. 1568 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1568 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 Carlyle spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1568.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1568, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1568, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1648, by Representatives Appleton, Johnson, McCoy, Pike, Ryu, Moscoso and Hansen

Providing for community economic revitalization in incorporated areas.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1648 was substituted for House Bill No. 1648 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1648 was read the second time.

Representative Appleton moved the adoption of amendment (36).

On page 3, line 8, after "plan" insert "or other means of health care coverage"

Representatives Appleton and Warnick spoke in favor of the adoption of the amendment.

Amendment (36) was adopted.

The bill was ordered engrossed.

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

Representatives Appleton, Johnson, Warnick and Angel spoke in favor of the passage of the bill.

COLLOQUY

Representative Johnson: "On page 2, beginning on line 24, the second substitute bill states that the board "must not" provide financing for any public facility project that has the primary purpose of facilitating or promoting a retail shopping development whose floor area exceeds 10,000 square feet; will result in a development or expansion that would displace existing jobs in any other community in the state; has the primary purpose of

facilitating or promoting gambling; is located outside the jurisdiction of the applicant; or will result in a development or expansion of a professional sports arena. On page 3, at line 15, the second substitute bill states that the board “must not” make loans that exceed twenty years; and on page 3, at line 20, the second substitute bill states that one or a combination of loans made to a municipality for a specific project “must not” exceed \$2 million. Is the intent of using the directive language “must not” in this bill to expressly prohibit the board from taking these actions?”

Representative Appleton: “Yes. The second substitute bill is intended to prohibit the board from financing a public facility project that has any of the effects listed in Section 1, paragraph (4) of the bill from making loans that exceed twenty years or from making a loan or combination of loans to a municipality for a specific project that exceeds \$2 million.”

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1648.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1648, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O’Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Kristiansen, Overstreet, Scott, Shea, Taylor and Vick.

Excused: Representative Freeman.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1648, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1818, by Representatives Smith, Maxwell, Magendanz, Morris, Hargrove, Sells, Angel, Ryu, Hayes, Zeiger, Vick, O’Ban, Morrell, Bergquist, Stonier and Fey

Promoting economic development through business and government streamlining projects.

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 Smith and Hudgins spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1818.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1818, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O’Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Freeman.

HOUSE BILL NO. 1818, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1841, by Representatives Stonier, Warnick, Dunshee, Morrell, Ryu and Freeman

Authorizing electronic competitive bidding for state public works contracting.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1841 was substituted for House Bill No. 1841 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1841 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 Stonier, Warnick and Seaquist spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1841.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1841, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz,

Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Freeman.

SUBSTITUTE HOUSE BILL NO. 1841, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1903, by Representatives Fitzgibbon and Ryu

Providing unemployment insurance benefit charging relief for part-time employers who continue to employ a claimant on a part-time basis and the claimant qualified for two consecutive claims with wages attributable to at least one employer who employed the claimant in both base years.

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 Fitzgibbon and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1903.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1903, and the bill passed the House by the following vote: Yeas, 87; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Kochmar, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Holy, Klippert, Kretz, Kristiansen, Overstreet, Pike, Scott, Shea, Short and Taylor.

Excused: Representative Freeman.

HOUSE BILL NO. 1903, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1247, by Representatives Hansen, Warnick, Smith, Zeiger, Fey, Springer, Tharinger and Santos

Modifying job skills program provisions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1247 was substituted for House Bill No. 1247 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1247 was read the second time.

Representative Hansen moved the adoption of amendment (98).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28C.04.420 and 2009 c 554 s 2 are each amended to read as follows:

The college board may, subject to appropriation from the legislature or from funds made available from any other public or private source and pursuant to rules adopted by the college board, and with the advice of the workforce training customer advisory committee established in RCW 28C.04.390, provide job skills grants to educational institutions. The job skills grants shall be used exclusively for programs which are consistent with the job skills program. The college board shall work in collaboration with the workforce training customer advisory committee established in RCW 28C.04.390 to assure that:

(1) The program is within the scope of the job skills program under this chapter and may reasonably be expected to succeed and thereby increase employment within the state;

(2) Provision has been made to use any available alternative funding from local, state, and federal sources;

(3) The job skills grant will only be used to cover the costs associated with the program;

(4) The program will not unnecessarily duplicate existing programs and could not be provided by another educational institution more effectively or efficiently;

(5) The program involves an area of skills training and education for which there is a demonstrable need;

(6) The applicant has made provisions for the use of existing federal and state resources for student financial assistance;

(7) The job skills grant is essential to the success of the program as the resources of the applicant are inadequate to attract the technical assistance and financial support necessary for the program from business and industry;

(8) The program represents a collaborative partnership between business, industry, labor, educational institutions, and other partners, as appropriate;

(9)(a) The commitment of financial support from businesses ((and industry)) with an annual gross business income of five hundred thousand dollars or more shall be equal to or greater than the amount of the requested job skills grant;

(b) The commitment of financial support from businesses with an annual gross business income of less than five hundred thousand dollars shall be at least equal to the trainees' salaries and benefits while in training;

(c) The annual gross business income shall be the income reported to the department of revenue for the previous fiscal year;

(10) The job skills program gives priority to applications:

(a) Proposing training that ~~((leads to transferable skills that are interchangeable among different jobs, employers, or workplaces))~~ provides college credit or leads to a recognized industry credential;

(b) From firms in strategic industry clusters as identified by the state or local areas;

(c) Proposing coordination with other cluster-based programs or initiatives including, but not limited to, industry skill panels, centers of excellence, innovation partnership zones, state-supported cluster

growth grants, and local cluster-based economic development initiatives;

(d) ~~((Proposing industry-based credentialing))~~ From consortia of colleges or consortia of employers; and

(e) Proposing increased capacity for educational institutions that can be made available to industry and students beyond the grant recipients;

(11) Binding commitments have been made to the college board by the applicant for adequate reporting of information and data regarding the program to the college board, particularly information concerning the recruitment and employment of trainees and students, and including a requirement for an annual or other periodic audit of the books of the applicant directly related to the program, and for such control on the part of the college board as it considers prudent over the management of the program, so as to protect the use of public funds, including, in the discretion of the ~~((commission))~~ college board and without limitation, right of access to financial and other records of the applicant directly related to the programs; and

(12) A provision has been made by the applicant to work, in cooperation with the employment security department, to identify and screen potential trainees, and that provision has been made by the applicant for the participation as trainees of low-income persons including temporary assistance for needy families recipients, dislocated workers, and persons from minority and economically disadvantaged groups to participate in the program.

Beginning ~~((October 1, 1999))~~ January 1, 2014, and every ~~((two))~~ year(s) thereafter, the college board shall provide the legislature and the governor with a report describing the activities and outcomes of the state job skills program."

Correct the title.

Representatives Hansen and Warnick spoke in favor of the adoption of the amendment.

Amendment (98) was adopted.

The bill was ordered engrossed.

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

Representatives Hansen and Warnick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1247.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1247, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford,

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

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1247, having received the necessary constitutional majority, was declared passed.

The House resumed consideration of. ENGROSSED HOUSE BILL NO. 1473.

HOUSE BILL NO. 1473, by Representatives Sells, McCoy, Morrell, Roberts, Takko, Lytton, Green, Ormsby, Bergquist, Freeman, Pollet and Tarleton

Requiring certain entities to report payments for construction services.

Representative Sells moved the adoption of amendment (35).

On page 3, after line 14, insert the following:

"(8) Funding to implement this section must come from the public works administration account."

On page 3, after line 34, insert the following:

"**Sec. 4.** RCW 39.12.080 and 2006 c 230 s 2 are each amended to read as follows:

The public works administration account is created in the state treasury. The department of labor and industries shall deposit in the account all moneys received from fees or civil penalties collected under RCW 39.12.050, 39.12.065, and 39.12.070. Appropriations from the account may be made only for the purposes of administration of this chapter, including, but not limited to, the performance of adequate wage surveys, and for the investigation and enforcement of all alleged violations of this chapter as provided for in this chapter and chapters 49.48 and 49.52 RCW, and to implement the payment reporting requirements under section 1 of this act."

Correct the title.

Representatives Sells and Manweller spoke in favor of the adoption of the amendment.

Amendment (35) was adopted.

The bill was ordered engrossed.

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

Representatives Sells, Reykdal and Green spoke in favor of the passage of the bill.

Representatives Condotta, Smith, Buys, Vick, Orcutt, Schmick, Wilcox and Manweller spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1473.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1473, and the bill passed the House by the following vote: Yeas, 51; Nays, 47; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Clibborn, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Springer, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

ENGROSSED HOUSE BILL NO. 1473, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1420, by Representatives Liias, Orcutt, Clibborn and Fey

Concerning public contracts for transportation improvement projects.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1420 was substituted for House Bill No. 1420 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1420 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1420.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1420, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1420, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1625, by Representatives Pollet, Clibborn, Kagi, Pedersen, Hunt, Riccelli, Appleton, Hudgins, Moscoso, Fitzgibbon, Morrell, Sells and Bergquist

Concerning certain tow truck operator requirements and rates. Revised for 1st Substitute: Concerning limitations on certain tow truck operator rates.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1625 was substituted for House Bill No. 1625 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1625 was read the second time.

Representative Pollet moved the adoption of amendment (205).

On page 2, after line 32, insert the following:

"(5) This section does not affect the authority of any city, town, or county to enforce, maintain, or amend any ordinance, enacted prior to January 1, 2013 and valid under state law in existence at the time of its enactment, that regulates maximum allowable rates and related charges for private impounds by registered tow truck operators."

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

Representative Orcutt spoke against the adoption of the amendment.

Amendment (205) was adopted.

The bill was ordered engrossed.

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

Representatives Pollet, Rodne and Orcutt spoke in favor of the passage of the bill.

COLLOQUY

Representative Rodne: "Is it the intent of this bill to affect, one way or another, the pending lawsuit between the City of Seattle and the towing industry?"

Representative Pollet: "No, there is no express preemption and no express carve out for Seattle in the bill. The court will decide whether existing state law preempts the city's ability to enact an ordinance regulating private property impounds."

Representative Rodne: "Thank you. Is it the intent of this bill to affect the enforceability of the current Seattle ordinance?"

Representative Pollet: "No. The bill, particularly after being amended, is crafted to allow Seattle's rates to continue until a court rules on the issue of preemption based on state law existing at the time of the ordinance's enactment. As amended, the bill is very clear that Seattle, as a city which adopted an ordinance prior to January 1, 2013, is not required by RCW 46.55.240 to amend its

ordinance to reflect the rate set out in this bill before the courts have ruled on the issue of preemption.”

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1625.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1625, and the bill passed the House by the following vote: Yeas, 91; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Clibborn, Cody, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Chandler, Condotta, DeBolt, Harris, Kirby and Wilcox.

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

SECOND READING

HOUSE BILL NO. 1644, by Representatives Fey, Klippert, Ryu, Clibborn, Rodne, Hargrove, Moscoso and Pollet

Concerning transportation planning objectives and performance measures for local and regional agencies.

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1644.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1644, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell,

Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1644, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1944, by Representative Haler

Addressing vehicle license plate and registration fraud.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1944 was substituted for House Bill No. 1944 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1944 was read the second time.

Representative Haler moved the adoption of amendment (203).

On page 1, beginning on line 14, after "vehicle." strike all material through "plate." on line 18

On page 2, after line 3, insert the following:
 "(d) For purposes of this section, "license plate flipping device" means a device that enables a license plate on a vehicle to be changed to another license plate either manually or electronically. "License plate flipping device" includes technology that is capable of changing the appearance of a license plate to appear as a different license plate."

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

Amendment (203) was adopted.

The bill was ordered engrossed.

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

Representatives Haler, Liias and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1944.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1944, and the bill passed the House by the following vote: Yeas, 87; Nays, 11; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Liias, Lytton, Magendanz, Manweller, Maxwell, McCoy,

Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Condotta, DeBolt, Kristiansen, MacEwen, Overstreet, Pike, Scott, Shea, Short, Taylor and Vick.

SUBSTITUTE HOUSE BILL NO. 1944, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1028, by Representatives Dahlquist, Hurst and Clibborn

Modifying a portion of the scenic and recreational highway on state route number 410.

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 Dahlquist and Liias spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1028.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1028, and the bill passed the House by the following vote: Yeas, 89; Nays, 9; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Hawkins, Kristiansen, Overstreet, Pike, Scott, Shea and Taylor.

HOUSE BILL NO. 1028, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1892, by Representatives Reykdal, Hunt, Liias, Ryu and Fey

Modifying certain provisions regarding transportation benefit districts.

The bill was read the second time.

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

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

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1892.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1892, and the bill passed the House by the following vote: Yeas, 57; Nays, 41; Absent, 0; Excused, 0.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Habib, Haigh, Hansen, Hope, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, MacEwen, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Freeman, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick and Wilcox.

HOUSE BILL NO. 1892, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1922, by Representatives Moscoso, Angel, Sells, Ryu, Upthegrove, Fitzgibbon, Zeiger, Freeman, Bergquist, Farrell, Takko, Tarleton, Kochmar, Riccelli, Moeller, Fey, Santos and Pollet

Concerning highway construction workforce development.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1922 was substituted for House Bill No. 1922 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1922 was read the second time.

Representative Moscoso moved the adoption of amendment (69).

On page 2, line 5, after "department" insert ", in coordination with the department's apprenticeship utilization advisory committee,"

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

Amendment (69) was adopted.

The bill was ordered engrossed.

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

Representatives Moscoso and Clibborn spoke in favor of the passage of the bill.

Representatives Orcutt, Smith and Smith (again) spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1922.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1922, and the bill passed the House by the following vote: Yeas, 57; Nays, 41; Absent, 0; Excused, 0.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick and Wilcox.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1922, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1941, by Representatives Habib, Clibborn and Springer

Concerning the adjudication of tolls and accompanying civil penalties.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1941 was substituted for House Bill No. 1941 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1941 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 Habib, Orcutt and Liias spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1941.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1941, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1941, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1008, by Representatives Hunt, Appleton, Hurst, McCoy, Condotta, Fitzgibbon, Tharinger, Upthegrove, Reykdal and Magendanz

Allowing sales of growlers of cider.

The bill was read the second time.

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

Representatives Hunt and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1008.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1008, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Habib, Haigh, Haler, Hansen, Hargrove, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Green and Harris.

HOUSE BILL NO. 1008, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1013, by Representatives Appleton, Seaquist, Ryu and Hansen

Authorizing regular meetings of county legislative authorities to be held at alternate locations within the county.

The bill was read the second time.

With the consent of the house, amendment (213) was withdrawn.

Representative Appleton moved the adoption of amendment (14).

On page 1, line 10, after "(2)" strike "Regular" and insert "As an alternative option that may be exercised only on an infrequent and irregular basis, regular"

On page 1, line 10, after "held" strike "on an occasional basis"

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

Amendment (14) was adopted.

Representative Angel moved the adoption of amendment (226).

On page 1, line 14, after "government" insert ". However, at any regular meeting held outside of the county seat, the county legislative authority may not take final action.

(3) As used in this section, the term "final action" means a collective positive or negative decision, or an actual vote by a majority of the members of a governing body when sitting as a body or entity, upon a motion, proposal, resolution, order, or ordinance"

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

Representative Takko spoke against the adoption of the amendment.

Amendment (226) was not adopted.

Representative Pollet moved the adoption of amendment (225).

On page 1, after line 14, insert the following:

"(3) The county legislative authority must give notice of any regular meeting held outside of the county seat. Notice must be given at least twenty days before the time of the meeting specified in the notice. At a minimum, notice must be:

(a) Posted on the county's web site;

(b) Published in a newspaper of general circulation in the county; and

(c) Sent via electronic transmission to any resident of the county who has chosen to receive the notice required under this section at an electronic mail address."

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

Amendment (225) was adopted.

The bill was ordered engrossed.

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

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

Representative Angel spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1013.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1013, and the bill passed the House by the following vote: Yeas, 62; Nays, 36; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Lias, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Kochmar, Kretz, Kristiansen, MacEwen, Manweller, Morrell, O'Ban, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Warnick, Wilcox and Zeiger.

ENGROSSED HOUSE BILL NO. 1013, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1124, by Representatives Hurst and Condotta

Concerning recommendations for streamlining reporting requirements for taxes and fees on spirits.

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 Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1124.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1124, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler,

Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1124, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1558, by Representatives Warnick, Manweller, Taylor and Morrell

Concerning the taxation of honey beekeepers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1558 was substituted for House Bill No. 1558 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1558 was read the second time.

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

Representatives Warnick, Carlyle and Hunt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1558.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1558, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1558, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1117, by Representatives Hansen, Rodne and Pedersen

Concerning the transfer of real property by deed taking effect at the grantor's death.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1117 was substituted for House Bill No. 1117 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1117 was read the second time.

Representative Hansen moved the adoption of amendment (68).

On page 22, beginning on line 20, after "inheritance" strike "or a transfer on death deed"

On page 22, line 22, after "(b)" insert "A transfer by transfer on death deed, to the extent that it is not in satisfaction of a contractual obligation of the decedent owed to the recipient of the property.

(c)"

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

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

Amendment (68) was adopted.

The bill was ordered engrossed.

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

Representatives Hansen and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1117.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1117, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1117, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1946, by Representatives Hunt and Reykdal

Concerning special parking privileges for persons with disabilities.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1946 was substituted for House Bill No. 1946 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1946 was read the second time.

Representative Klippert moved the adoption of amendment (246).

On page 3, beginning on line 20, after "placard," strike the remainder of the section

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

Representative Habib spoke against the adoption of the amendment.

Amendment (246) 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 Hunt and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1946.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1946, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1946, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1301, by Representatives Morris, Ryu, McCoy, Hudgins, Morrell and Pollet

Creating clean energy jobs in Washington state through renewable energy incentives.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1301 was substituted for House Bill No. 1301 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1301 was read the second time.

Representative Upthegrove moved the adoption of amendment (274).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature makes the following findings:

(1) In order to mitigate the negative consequences of greenhouse gas and particulate air emissions, every state and nation in the world must do its part to develop clean energy technology.

(2) The sooner that economies of scale are available for the manufacture and marketing of renewable energy technologies, the sooner these technologies will become cost-competitive or even less expensive than traditional, polluting sources of energy.

(3) The clean technology sector of the economy is one that is growing rapidly, even in a time when other sectors have been stagnant or in a recession.

(4) In enacting incentives for renewable energy systems, the legislature intends to attract to Washington a vibrant clean technology sector.

(5) The tax incentives created in this act can be an important economic development tool, increasing high-wage employment both east and west of the Cascade mountains.

(6) It is the intent of the legislature, in modifying the existing renewable energy investment cost recovery incentive program, to improve utilization of the incentive by state residents and businesses, streamline program administration, and incubate the development of clean energy technology.

NEW SECTION. Sec. 2. A new section is added to chapter 82.16 RCW to read as follows:

(1) The legislature finds that the effectiveness of attempts to foster job creation and retention are important aspects of setting tax policy. In order to make policy choices regarding the best use of limited state resources, the legislature needs to know how tax incentives are used, and the degree to which incentive programs meet the legislature's intent.

(2) The legislature intends to achieve the following performance milestones as a result of the incentives awarded under this act:

(a) Increased utilization of the available tax credits, as evidenced by:

(i) A one hundred percent increase in the number of solar energy systems installed and receiving the incentive, from the 2012 baseline; and

(ii) A one hundred percent increase in the total generating capacity of installed systems, from the 2012 baseline;

(b) A decrease over time in the levelized cost of the systems receiving the tax preferences; and

(c) Growth of solar-related employment, as evidenced by:

(i) An increase in the total number and per capita rate of solar-related jobs in Washington;

(ii) Achievement of a top ten national ranking for solar-related employment and a top nine ranking for per capita solar-related employment;

(d) An increase in the utilization of, and employment related to, nonsolar renewable energy systems eligible to receive the incentives created in this act; and

(e) Leveraging of nonstate funds, as measured by a report of the total dollar value of tax credits awarded within each county and zip code, and the total amount of nonstate funds leveraged within each county and zip code.

(3)(a) The department must collect, through its application and certification process, data from persons receiving the tax preferences created in this act as necessary to report on progress toward achieving the performance milestones listed in subsection (1) of this section.

(b) In compliance with RCW 43.01.036, the department must submit an annual report to the legislature that details the progress achieved in reaching the outcome specified in subsection (1)(a)(i) of this section.

(4) All recipients of tax credits or incentive payments awarded under this chapter must provide any data requested for reporting purposes. Failure to comply may result in the loss of a tax credit award or incentive payment in the following year.

(5) As part of its 2019 tax preference reviews conducted under chapter 43.136 RCW, the joint legislative audit and review committee must assess the performance of the incentives created in this act, with reference to all of the performance milestones established in this section.

Sec. 3. RCW 82.16.120 and 2011 c 179 s 3 are each amended to read as follows:

~~(1)(a) Any individual, business, local governmental entity, not in the light and power business or in the gas distribution business, or a participant in a community solar project may apply to the light and power business serving the situs of the system, each fiscal year beginning on July 1, 2005, for an investment cost recovery incentive for each kilowatt hour from a customer-generated electricity renewable energy system.) Beginning July 1, 2013, any person, as defined in RCW 82.04.030, may apply to receive a voucher from an agency designated by the governor entitling the person to receive annual incentive payments from the light and power business serving the situs of a renewable energy system for a term of ten years. Throughout this act, "agency designated by the governor" means any unit of state government that the governor designates to administer the program created in this chapter. Eligibility to receive the voucher is limited as follows:~~

~~(a) The person applying to receive the voucher must be:~~
~~(i) The meter holder, meaning the party responsible to the light and power business for paying for electricity transmitted to the situs of an eligible renewable energy system;~~
~~(ii) The owner of the renewable energy system; and~~
~~(iii) Not a person who is a light and power business.~~

~~(b) In the case of a community solar project as defined in RCW 82.16.110(2)(a)(i), the administrator must apply for the investment cost recovery incentive on behalf of each of the other owners.~~

~~(c) In the case of a community solar project as defined in RCW 82.16.110(2)(a)(iii), the company owning the community solar project must apply for the investment cost recovery incentive on behalf of each member of the company.~~

~~((2)) (d) In the case of a customer-generated renewable energy system for which a person has already received payments prior to July 1, 2013, under RCW 82.16.120, a person may apply to receive a voucher as provided in this act entitling the person to receive incentive payments until June 30, 2023.~~

~~(2) The award of a voucher creates a contractually enforceable promise on behalf of the state to authorize the light and power~~

~~business to receive a credit against the taxes due under this chapter for an amount equal to the annual incentive payments made under this section in any fiscal year. A light and power business that chooses to participate in the voucher program created in this section may cease to accept vouchers for new systems at any time, but must continue to make payments pursuant to any existing voucher for its entire term, unless a court has declared the incentives provided under this section to be illegal.~~

~~(3) Eligibility to receive the incentive payments provided in subsection (1) of this section is limited as follows:~~

~~(a) The person applying to receive the voucher must be the meter holder, meaning the party responsible to the light and power business for paying for electricity transmitted to the situs of an eligible renewable energy system. The meter holder need not occupy the real property upon which the system is installed; and~~

~~(b) An owner of the renewable energy system.~~

~~(4) When the meter holder is a residential retail electric customer, the system must have an electrical generating capacity of not more than five kilowatts, and when the meter holder is not a residential retail electric customer, the system must have an electrical generating capacity of not more than one hundred kilowatts.~~

~~(5)(a) Before submitting for the first time the application for the incentive allowed under ((subsection (4) of) this section, the applicant must submit to the department of revenue and to the ((climate and rural energy development center at the Washington State University, established under RCW 28B.30.642,)) agency designated by the governor a certification in a form and manner prescribed by the department that includes, but is not limited to, the following information:~~

~~(i) The name and address of the applicant and location of the renewable energy system.~~

~~(A) If the applicant is an administrator of a community solar project as defined in RCW 82.16.110(2)(a)(i), the certification must also include the name and address of each of the owners of the community solar project.~~

~~(B) If the applicant is a company that owns a community solar project as defined in RCW 82.16.110(2)(a)(iii), the certification must also include the name and address of each member of the company;~~

~~(ii) The applicant's tax registration number;~~

~~(iii) That the electricity produced by the applicant meets the definition of "customer-generated electricity" or is generated by a system that meets the eligibility requirements set forth in subsection (3) of this section, and that the renewable energy system produces electricity with:~~

~~(A) Any solar inverters and solar modules manufactured in Washington state;~~

~~(B) A wind generator powered by blades manufactured in Washington state;~~

~~(C) A solar inverter manufactured in Washington state;~~

~~(D) A solar module manufactured in Washington state;~~

~~(E) A stirling converter manufactured in Washington state; or~~

~~(F) Solar or wind equipment manufactured outside of Washington state;~~

~~(iv) That the electricity can be transformed or transmitted for entry into or operation in parallel with electricity transmission and distribution systems; ((and))~~

~~(v) The date that the renewable energy system received its final electrical permit from the applicable local jurisdiction;~~

~~(vi) The annual electricity consumption at the meter in the previous calendar year, or an engineering estimate of the projected annual consumption, if no record of annual consumption at the meter is available or if electricity consumption at the meter has substantially changed; and~~

~~(vii) A projection of the annual electricity production of the system in kilowatt-hours.~~

(b) Within thirty days of receipt of the certification the ~~((department of revenue))~~ agency designated by the governor must notify the applicant by mail, or electronically as provided in RCW 82.32.135, whether the renewable energy system qualifies for an incentive under this section. ~~((The department may consult with the climate and rural energy development center to determine eligibility for the incentive.))~~ The agency designated by the governor must either issue the voucher or inform the applicant of the reason that the application is denied. System certifications, applications, vouchers, and the information contained therein are subject to disclosure under RCW 82.32.330(3)(l).

~~((3))~~ (c) The agency designated by the governor is authorized to assess an application fee to recover its costs of administering the program established in this section.

(6)(a) The agency designated by the governor must also transmit the voucher electronically as provided in RCW 82.32.135 to the light and power business serving the situs of the system.

(b) The voucher must state the first and last day of the ten-year term, or other term in the case of persons receiving a voucher as provided in subsection (1)(d) of this section, for which the applicant has qualified to receive production incentive payments from the light and power business.

(c) The light and power business, upon receiving the voucher, must make incentive payments for each kilowatt-hour of electricity generated.

(d) If, during the ten-year term of the voucher, there is a change in the meter holder and a new party becomes financially responsible to the light and power business, the voucher is transferrable to the new meter holder, provided that the new meter holder is also a person eligible to receive payments under this section.

(7)(a) By August 1st of each year ((application for the incentive must be made to the light and power business serving the situs of the system by certification in a form and manner prescribed by the department that includes, but is not limited to, the following information)), the agency designated by the governor must receive a report of the amount of kilowatt-hours generated in the immediately preceding fiscal year by any system for which a person is receiving incentive payments pursuant to this section. The report may be submitted in one of the following ways:

(i) ~~((The name and address of the applicant and location of the renewable energy system.~~

~~(A) If the applicant is an administrator of a community solar project as defined in RCW 82.16.110(2)(a)(i), the application must also include the name and address of each of the owners of the community solar project.~~

~~(B) If the applicant is a company that owns a community solar project as defined in RCW 82.16.110(2)(a)(iii), the application must also include the name and address of each member of the company;~~

~~(ii) The applicant's tax registration number;~~

~~(iii) The date of the notification from the department of revenue stating that the renewable energy system is eligible for the incentives under this section; and~~

~~(iv) A statement of the amount of kilowatt hours generated by the renewable energy system in the prior fiscal year.))~~ The light and power business serving the situs of the system may report the amount of kilowatt-hours generated by the system over the course of the year, as determined by reading a production meter or any other meter that the utility determines to be ninety-eight percent accurate; or
 (ii) The person receiving incentive payments may submit a statement in the form of a sworn affidavit reporting the amount of kilowatt-hours generated by the system over the course of the year.

(b) Within sixty days of receipt of the ((incentive certification)) report required by subsection (7) of this section, the agency designated by the governor must notify the light and power business serving the situs of the system ((must notify the applicant in writing)) whether the incentive payment will be authorized or denied. The

business may consult with the climate and rural energy development center to determine eligibility for the incentive payment. Incentive certifications and the information contained therein are subject to disclosure under RCW 82.32.330(3)(l).

(c)(i) Persons, administrators of community solar projects, and companies receiving incentive payments must keep and preserve, for a period of five years, suitable records as may be necessary to determine the amount of incentive applied for and received. Such records must be open for examination at any time upon notice by the light and power business that made the payment or by the department. If upon examination of any records or from other information obtained by the business or department it appears that an incentive has been paid in an amount that exceeds the correct amount of incentive payable, the business may assess against the person for the amount found to have been paid in excess of the correct amount of incentive payable and must add thereto interest on the amount. Interest is assessed in the manner that the department assesses interest upon delinquent tax under RCW 82.32.050.

(ii) If it appears that the amount of incentive paid is less than the correct amount of incentive payable the business may authorize additional payment.

~~((4))~~ (8) Except for community solar projects, the investment cost recovery incentive may be paid fifteen cents per economic development kilowatt-hour unless requests exceed the amount authorized for credit to the participating light and power business. For community solar projects, the investment cost recovery incentive may be paid thirty cents per economic development kilowatt-hour unless requests exceed the amount authorized for credit to the participating light and power business. For the purposes of this section, the rate paid for the investment cost recovery incentive may be multiplied by the following factors:

(a) For ~~((customer-generated))~~ electricity produced using solar modules manufactured in Washington state or a solar stirling converter manufactured in Washington state, two and four-tenths;

(b) For ~~((customer-generated))~~ electricity produced using a solar or a wind generator equipped with an inverter manufactured in Washington state, one and two-tenths;

(c) For ~~((customer-generated))~~ electricity produced using an anaerobic digester, or by other solar equipment or using a wind generator equipped with blades manufactured in Washington state, one; and

(d) For all other ~~((customer-generated))~~ electricity produced by wind, eight-tenths.

~~((5)(a) No individual, household, business, or local governmental entity is eligible for incentives provided under subsection (4) of this section for more than five thousand dollars per year.))~~ (9) On or after July 1, 2018, a new base rate and multipliers may go into effect. New rates and multipliers adopted under the authority of this subsection will be applicable to any vouchers awarded after July 1, 2018. The rates must be adjusted to reflect decreases in the capital costs of purchasing and installing a renewable energy system, changes in the leveled costs of such systems, or other factors that the agency deems relevant to fulfilling the purpose of incentivizing job growth and the environmental and economic benefits of renewable energy in the state.

(10)(a) No person is eligible for incentives under this section for electricity generated in excess of the net kilowatt-hours consumed annually at the metered location. No person is eligible for incentives provided under this section for more than twenty-five thousand dollars per year per eligible renewable energy system.

(b) Except as provided in (c) through ~~((e))~~ (d) of this subsection ~~((5))~~ (10), each applicant in a community solar project is eligible for up to five thousand dollars per year.

(c) Where the applicant is an administrator of a community solar project as defined in RCW 82.16.110(2)(a)(i), each owner is eligible

for an incentive but only in proportion to the ownership share of the project, up to five thousand dollars per year.

(d) Where the applicant is a company owning a community solar project that has applied for an investment cost recovery incentive on behalf of its members, each member of the company is eligible for an incentive that would otherwise belong to the company but only in proportion to each ownership share of the company, up to five thousand dollars per year. The company itself is not eligible for incentives under this section.

~~((e) In the case of a utility-owned community solar project, each ratepayer that contributes to the project is eligible for an incentive in proportion to the contribution, up to five thousand dollars per year. (6)) (11) If, at any time before July 1, 2018, requests for the investment cost recovery incentive exceed fifty percent of the amount of funds available for credit to the participating light and power business, the (incentive payments must be reduced proportionately. (7) The climate and rural energy development center at Washington State University energy program may establish guidelines and standards for technologies that are identified as Washington manufactured and therefore most beneficial to the state's environment) agency designated by the governor must notify the governor and the legislature and must adjust base rates and multipliers to a level expected to allow all eligible systems to continue to apply for and receive incentives. New rates and multipliers adopted under the authority of this subsection (11) will be applicable to any vouchers awarded after the new rates and multipliers are adopted.~~

~~((8)) (12) The environmental attributes of the renewable energy system belong to the applicant, and do not transfer to the state or the light and power business upon receipt of the investment cost recovery incentive.~~

~~((9)) (13) No incentive may be paid under this section for kilowatt-hours generated before July 1, 2005((, or after June 30, 2020)). No new vouchers may be issued after June 30, 2023.~~

Sec. 4. RCW 82.16.130 and 2010 c 202 s 3 are each amended to read as follows:

(1) A light and power business ~~((shall be))~~ is allowed a credit against taxes due under this chapter in an amount equal to the investment cost recovery incentive payments made in any fiscal year under RCW 82.16.120. The credit shall be taken in a form and manner as required by the department. ~~((The credit under this section for the fiscal year may not exceed one-half percent of the businesses' taxable power sales due under RCW 82.16.020(1)(b) or one hundred thousand dollars, whichever is greater.))~~

(2) Incentive payments to participants in a utility-owned community solar project as defined in RCW 82.16.110(2)(a)(ii) may only account for up to twenty-five percent of the total allowable credit. Incentive payments to participants in a company-owned community solar project as defined in RCW 82.16.110(2)(a)(iii) may only account for up to five percent of the total allowable credit.

(3) The total credit claimed under this section may not exceed the tax that would otherwise be due under this chapter. Refunds ((shall)) may not be granted in the place of credits. Expenditures not used to earn a credit in one fiscal year may not be used to earn a credit in subsequent years.

~~((2)) (4) For any light and power business that has claimed credit for amounts that exceed the correct amount of the incentive payable under RCW 82.16.120, the amount of tax against which credit was claimed for the excess payments ((shall be)) is immediately due and payable. The department ((shall)) must assess interest but not penalties on the taxes against which the credit was claimed. Interest ((shall be)) is assessed at the rate provided for delinquent excise taxes under chapter 82.32 RCW, retroactively to the date the credit was claimed, and ((shall)) accrues until the taxes against which the credit was claimed are repaid.~~

~~((3) The right to earn tax credits under this section expires June 30, 2020. Credits may not be claimed after June 30, 2021.)) (5) For~~

incentive payments made pursuant to RCW 82.16.120, the authority of the agency designated by the governor to issue a voucher expires
June 30, 2023.

(6) The total credits available under this section is the aggregate of 0.5% of each participating light and power businesses' annual taxable power sales in the immediately preceding calendar year. Credits are available on a first-come, first-served basis.

NEW SECTION. Sec. 5. A new section is added to chapter 82.16 RCW to read as follows:

(1) The legislature finds that allowing utilities to finance and own renewable energy systems may help achieve the objectives of increasing the number of renewable energy systems in the state and incubating the development of the state's clean energy technology industry. Third-party ownership is also a tool to increase access to renewable energy systems for those residents and businesses who cannot leverage sufficient capital to pay the full cost of a renewable energy system upfront. The legislature intends to make a renewable energy investment cost recovery incentive tax credit available to renewable energy systems owned and financed by utilities.

(2) A qualifying utility, as defined in RCW 19.285.030(18), may claim a credit under this section for electricity generated by a solar energy system that has a generating capacity of not more than one hundred kilowatts, is installed on the premises of a residential or commercial retail electric customer of the qualifying utility in Washington, and is owned by the qualifying utility.

(3) The credit allowed for solar energy systems owned by a qualifying utility may not exceed 0.5% of the qualifying utility's taxable power sales due under RCW 82.16.020(1)(b), or one hundred thousand dollars, whichever is greater.

(4) The credit that may be claimed by a qualifying utility for power generated by a solar energy system is equal to the amount of incentive payment a community solar project with the same power generation, consumption, and system components would have been eligible to receive under RCW 82.16.120.

(5) The environmental attributes of the solar energy system belong to the qualifying utility.

(6) The total credit claimed under this section and RCW 82.16.130 may not exceed the tax that would otherwise be due under this chapter. Refunds may not be granted in the place of credits. Expenditures not used to earn a credit in one fiscal year may not be used to earn a credit in subsequent years.

(7) For any qualifying utility that has claimed credit for amounts that exceed the correct amount of the incentive payable under RCW 82.16.120, the amount of tax against which credit was claimed for the excess payments is immediately due and payable. The department must assess interest but not penalties on the taxes against which the credit was claimed. Interest is assessed at the rate provided for delinquent excise taxes under chapter 82.32 RCW retroactively to the date the credit was claimed and accrues until the taxes against which the credit was claimed are repaid.

(8) The legislature intends to achieve the following performance milestones as a result of the tax preference created in this section:

(a) Increased utilization of available tax credits at a growth rate of five percent each year for the first five years of the program; and

(b) Improved ability of consumers, regardless of their ability to pay upfront for the full capital costs of a renewable energy system, to install renewable energy systems on their real property. This milestone must be tracked by requiring those applying to receive incentive payments for a system owned or financed by a third party to indicate in their application whether they would have had the financial ability to fully fund the upfront installation costs for a system if systems leased from third-party owners had not been eligible to receive the incentive.

(9)(a) In the calendar year preceding the expiration of this section, the joint legislative audit and review committee must report to the

legislature on the effectiveness of the program in achieving the objectives described in subsection (8) of this section.

(b) Upon request of the joint legislative audit and review committee, the department of revenue and other agencies must cooperate by providing any data or information requested.

(10)(a) The qualifying utility must provide the customer on whose premises a solar energy system is being installed a contract that includes, but is not limited to, the following information:

(i) A guarantee of the minimum annual kilowatt-hours that the system will generate for the entire term of the contract;

(ii) In the case of a lease, a clear payment schedule with a total amount, inclusive of all fees, costs, and other charges, listed for each month and for each year of the entire term of the lease agreement;

(iii) An acknowledgment that the utility is responsible for system installation, repairs, and monitoring for the duration of the agreement;

(iv) Protections against damage to the customer's property caused by the system, its installation, and removal, including a clear statement of whose responsibility it is to pay any costs associated with restoring the customer's property to its original condition after removal of the system at the end of the lease term; and

(v) A disclosure of the terms and conditions governing when the property is sold or transferred.

(b) A qualifying utility must provide the customer a separate document with an easy to read, nontechnical summary of the provisions required under (a) of this subsection.

(c) The qualifying utility must compile and make available to the joint legislative audit and review committee a report of the average price per kilowatt-hour of electricity generated by the systems authorized in this section, as compared to the average price per kilowatt-hour of electricity generated by systems that received or are receiving the incentive under RCW 82.16.120.

(11) After December 31, 2015, if in compliance with other applicable law or rule, the agency designated by the governor may authorize renewable energy systems owned by third parties other than utilities to qualify for the incentives created under RCW 82.16.120. Nonutility third-party owners of renewable energy systems may only be authorized to receive the incentives if, in the agency's determination, based on objective criteria, such ownership is consistent with the legislature's objectives as established in section 2 of this act and subsection (1) of this section. The agency, in making its determination, must hold meetings with interested parties, and provide notice and an opportunity for public comment.

NEW SECTION. Sec. 6. A new section is added to chapter 80.28 RCW to read as follows:

(1)(a) Upon request by an electrical company, the commission may approve a tariff allowing the company to recover its costs from acquiring, installing, operating, and maintaining cost-effective distributed solar energy systems at the premises of retail electric customers of the company.

(b) The cost basis for a distributed solar energy system must include, but may not be limited to:

(i) A fair return on common equity equal to the return that the commission has authorized for the company's other capital assets;

(ii) The cost of debt incurred for investments made in the acquisition, installation, operation, and maintenance of distributed solar energy systems; and

(iii) Any reasonable incentive the company may offer to a retail electric customer to secure the right to place a distributed solar energy system on their premises.

(c) Costs incurred by the company to acquire, install, operate, and maintain a distributed solar energy system must be offset by:

(i) The value of an investment cost recovery incentive payable to the company under sections 5 and 6 of this act;

(ii) The estimated value of renewable energy credits produced by distributed solar energy systems owned by the company; and

(iii) The value of any other state and federal tax credits that may accrue to the company from the production of energy from a distributed solar energy system.

(d) If the company determines that a customer or class of customers should contribute a reasonable amount to the electrical utility's cost of acquiring, installing, operating, and maintaining a distributed solar energy system in order for the system to be cost-effective, it may specify the amount of the contribution in its tariff. The commission may approve or deny the company's request to include a customer contribution in the tariff, or revise the contribution requirement to an amount that will not increase financial risk to the company's shareholders or other customers. The commission may only deny the request for a customer contribution upon a finding that the tariff is fair, just, reasonable, and sufficient without the customer contribution requirement.

(e)(i) Once the company has recovered its costs under the tariff, the distributed solar energy system is no longer necessary and useful to the company pursuant to RCW 80.12.020. The tariff must specify the terms and conditions, including guidelines for establishing a fair market value, under which a customer may purchase the distributed solar energy system located at its premises after the company has recovered its costs under the tariff. Once the company has recovered its costs under the tariff, it may convey ownership of a distributed solar energy system without cost to a retail electric customer who has made a contribution under (d) of this subsection.

(ii) Any payments received by a company from the sale of distributed solar energy systems must be deposited in a segregated account to be used by the company to supplement any other measures it may use under (c) of this subsection to offset costs incurred by the company to acquire, install, operate, and maintain a distributed solar energy system.

(2) A distributed solar energy system that has been installed pursuant to this section is not eligible for net metering under chapter 80.60 RCW while the system is owned by the company.

(3) For the purposes of this section:

(a) "Cost-effective" means, at the time a distributed solar energy system is placed in the rate base, the distributed solar energy system is reasonably expected to generate energy at a total incremental system cost, per unit of energy delivered to end use, that is less than, or equal to, the comparable cost from the lowest reasonable cost eligible renewable resource, as identified in the company's last completed integrated resource plan under chapter 19.280 RCW, considering:

(i) The value of an investment cost recovery incentive payable to the company under RCW 82.16.120;

(ii) The estimated value of renewable energy credits produced by distributed solar energy systems owned by the company;

(iii) The value of any other state and federal tax credits that may accrue to the company from the production of energy from a distributed solar energy system; and

(iv) The financial contribution that may be required from a customer pursuant to subsection (1)(d) of this section.

(b) "Distributed solar energy system" means any device or combination of devices or elements that relies upon direct sunlight as an energy source for use in the generation of electricity and has an electrical generating capacity of not more than five kilowatts, when the meter holder is a residential retail electric customer, and not more than one hundred kilowatts, when the meter holder is a commercial retail electric customer.

(c) "Eligible renewable resource" has the same meaning as defined under RCW 19.285.030.

(4) This section expires December 31, 2020.

NEW SECTION. Sec. 7. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 8. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2013."
Correct the title.

Representatives Morris, and Crouse spoke in favor of the adoption of the amendment.

Amendment (274) was adopted.

The bill was ordered engrossed.

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

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

Representatives Smith, Nealey, Dahlquist and Wilcox spoke against the passage of the bill.

MOTION

On motion of Representative Harris, Representative Condotta was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1301.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1301, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Crouse, DeBolt, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Dahlquist, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative Condotta.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1301, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1374, by Representatives Morris and Fey

Concerning the energy facility site evaluation council.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1374 was substituted for House Bill No. 1374 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1374 was read the second time.

Representative Morris moved the adoption of amendment (257).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 80.50.010 and 2001 c 214 s 1 are each amended to read as follows:

The legislature finds that the present and predicted growth in energy demands in the state of Washington requires the development of a procedure for the selection and utilization of sites for energy facilities and the identification of a state position with respect to ~~((each))~~ the proposed site. The legislature also finds that there is a critical need for infrastructure to ensure the safe and reliable operations of electrical generation and energy transmission systems in Washington and the region. The legislature recognizes that the selection of sites will have a significant impact upon the welfare of the population, the location and growth of industry and the use of the natural resources of the state.

It is the policy of the state of Washington to recognize the ~~((pressing))~~ need for increased energy facilities, and to ensure through available and reasonable methods, that the location and operation of ~~((such))~~ facilities will produce minimal adverse effects on the environment, ecology of the land and its wildlife, and the ecology of state waters and their aquatic life.

It is the intent to seek courses of action that will balance the increasing demands for energy facility location and operation in conjunction with the broad interests of the public. Such action will be based on these premises:

(1) To assure Washington state citizens that, where applicable, operational safeguards are at least as stringent as the criteria established by the federal government and are technically sufficient for their welfare and protection.

(2) To preserve and protect the quality of the environment; to enhance the public's opportunity to enjoy the esthetic and recreational benefits of the air, water and land resources; to promote air cleanliness; and to pursue beneficial changes in the environment.

(3) ~~((To provide abundant energy at reasonable cost.))~~
~~((4))~~ To avoid costs of complete site restoration and demolition of improvements and infrastructure at unfinished nuclear energy sites, and to use unfinished nuclear energy facilities for public uses, including economic development, under the regulatory and management control of local governments and port districts.

~~((5))~~ (4) To avoid costly duplication in the siting process and ensure that decisions are made timely and without unnecessary delay.

Sec. 2. RCW 80.50.020 and 2010 c 152 s 1 are each reenacted and amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Alternative energy resource" includes energy facilities of the following types: (a) Wind; (b) solar energy; (c) geothermal energy; (d) landfill gas; (e) wave or tidal action; ~~((f))~~ (f) energy storage; or (g) biomass energy based on solid organic fuels from wood, forest, or field residues, or dedicated energy crops that do not include wood pieces that have been treated with chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenic.

(2) "Applicant" means any person who makes application for a site certification pursuant to the provisions of this chapter.

(3) "Application" means any request for approval of a particular site or sites filed in accordance with the procedures established pursuant to this chapter, unless the context otherwise requires.

(4) "Associated facilities" means storage, transmission, handling, or other related and supporting facilities connecting an energy plant with the existing energy supply, processing, or distribution system, including, but not limited to, communications, controls, mobilizing or maintenance equipment, instrumentation, and other types of ancillary transmission equipment, off-line storage or venting required for efficient operation or safety of the transmission system and overhead, and surface or subsurface lines of physical access for the inspection, maintenance, and safe operations of the transmission facility and new transmission lines constructed to operate at nominal voltages of at least 115,000 volts to connect a thermal power plant or alternative energy facilities to the northwest power grid. However, common carrier railroads or motor vehicles shall not be included.

(5) "Biofuel" has the same meaning as defined in RCW 43.325.010.

(6) "Certification" means a binding agreement between an applicant and the state which shall embody compliance to the siting standards and guidelines, in effect as of the date of certification, which have been adopted pursuant to RCW 80.50.040 as now or hereafter amended as conditions to be met prior to or concurrent with the construction or operation of any energy facility.

(7) "Construction" means on-site improvements, excluding exploratory work, which cost in excess of two hundred fifty thousand dollars.

(8) "Council" means the energy facility site evaluation council created by RCW 80.50.030.

(9) "Counsel for the environment" means an assistant attorney general or a special assistant attorney general who shall represent the public ~~((in accordance with RCW 80.50.080)).~~

(10) "Electrical transmission facilities" means electrical power lines and related equipment.

(11) "Energy facility" means an energy plant or transmission facilities: PROVIDED, That the following are excluded from the provisions of this chapter:

(a) Facilities for the extraction, conversion, transmission or storage of water, other than water specifically consumed or discharged by energy production or conversion for energy purposes; and

(b) Facilities operated by and for the armed services for military purposes or by other federal authority for the national defense.

(12) "Energy plant" means the following facilities together with their associated facilities:

(a) Any nuclear power facility where the primary purpose is to produce and sell electricity;

(b) Any nonnuclear stationary thermal power plant ~~((with generating capacity of three hundred fifty thousand kilowatts or more, measured using maximum continuous electric generating capacity, less minimum auxiliary load, at average ambient temperature and pressure,))~~ and floating thermal power plants ~~((of one hundred thousand kilowatts or more))~~ suspended on the surface of water by means of a barge, vessel, or other floating platform;

(c) Facilities which will have the capacity to ~~((receive))~~ import or export liquefied natural gas ~~((in the equivalent of more than one hundred million standard cubic feet of natural gas per day, which))~~ that has been or will be transported over land or marine waters;

(d) Facilities which will have the capacity to receive more than an average of fifty thousand barrels per day of crude or refined petroleum or liquefied petroleum gas which has been or will be transported over marine waters, except that the provisions of this chapter shall not apply to storage facilities unless occasioned by such new facility construction;

(e) Any underground reservoir for receipt and storage of natural gas as defined in RCW 80.40.010 ~~((capable of delivering an average~~

~~of more than one hundred million standard cubic feet of natural gas per day)); ((and))~~

(f) Facilities capable of processing more than twenty-five thousand barrels per day of petroleum or biofuel into refined products except where such biofuel production is undertaken at existing industrial facilities; _____ and

(g) Any alternative energy resource.

(13) "Independent consultants" means those persons who have no financial interest in the applicant's proposals and who are retained by the council to evaluate the applicant's proposals, supporting studies, or to conduct additional studies.

(14) "Land use plan" means a comprehensive plan or land use element thereof adopted by a unit of local government pursuant to chapter 35.63, 35A.63, 36.70, or 36.70A RCW, or as otherwise designated by chapter 325, Laws of 2007.

(15) "Person" means an individual, partnership, joint venture, private or public corporation, association, firm, public service company, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private, however organized.

(16) "Preapplicant" means a person considering applying for a site certificate agreement for any transmission facility.

(17) "Preapplication process" means the process which is initiated by written correspondence from the preapplicant to the council, and includes the process adopted by the council for consulting with the preapplicant and with cities, towns, and counties prior to accepting applications for all transmission facilities.

(18) "Secretary" means the secretary of the United States department of energy.

(19) "Site" means any proposed or approved location of an energy facility, alternative energy resource, or electrical transmission facility.

(20) "Thermal power plant" means, for the purpose of certification, any electrical generating facility ~~((using))~~ combusting any gaseous, liquid, or solid fuel ((for distribution of electricity by electric utilities)) or using heat to create steam for the generation of electricity.

(21) "Transmission pipeline facility" means any of the following together with their associated facilities:

(a) Crude or refined petroleum or liquid petroleum product transmission pipeline of the following dimensions: A pipeline larger than six inches minimum inside diameter between valves for the transmission of these products with a total length of at least fifteen miles;

(b) Natural gas, synthetic fuel gas, or liquefied petroleum gas transmission pipeline ~~((of the following dimensions: A pipeline larger than fourteen inches minimum inside diameter between valves, for the transmission of these products,))~~ with a total length of at least fifteen miles that operates in excess of twenty percent of the specified minimum yield strength and the pipeline is used for the purpose of delivering gas to a distribution facility, except an interstate natural gas pipeline regulated by the United States federal power commission; and

(c) A transmission pipeline facility may include a pipeline carrying federally listed hazardous waste to the energy facility.

(22) "Zoning ordinance" means an ordinance of a unit of local government regulating the use of land and adopted pursuant to chapter 35.63, 35A.63, 36.70, or 36.70A RCW or Article XI of the state Constitution, or as otherwise designated by chapter 325, Laws of 2007.

(23) "Electric utility" means an electric utility, as the term "electric utility" is defined in RCW 19.29A.010.

(24) "Proven energy technology" means any energy technology used in an energy facility offered for sale in the United States and preapproved by the council.

Sec. 3. RCW 80.50.030 and 2010 c 271 s 601 and 2010 c 152 s 2 are each reenacted and amended to read as follows:

(1) There is created and established the energy facility site evaluation council.

(2)(a) The chair of the council shall be appointed by the governor with the advice and consent of the senate, shall have a vote on matters before the council, shall serve for a term coextensive with the term of the governor, and is removable for cause. The chair may designate a member of the council to serve as acting chair in the event of the chair's absence. The salary of the chair shall be determined under RCW 43.03.040. The chair is a "state employee" for the purposes of chapter 42.52 RCW. As applicable, when attending meetings of the council, members may receive reimbursement for travel expenses in accordance with RCW 43.03.050 and 43.03.060, and are eligible for compensation under RCW 43.03.250.

(b) The chair or a designee shall execute all official site application documents (~~(-contracts,-)~~) and other materials on behalf of the council. The chair shall manage the scheduling of all public meetings necessary for site certification of an energy facility and preside over meetings of the council. The Washington utilities and transportation commission shall provide all administrative and staff support for the council. The commission has supervisory authority over the staff of the council and shall employ such personnel as are necessary to implement this chapter. Not more than three such employees may be exempt from chapter 41.06 RCW. The utilities and transportation commission shall serve as the fiscal agent for the council, ensuring compliance with state law, and shall execute contracts in consultation with the council. The council shall otherwise retain its independence in exercising its powers, functions, and duties (~~(and its supervisory control over nonadministrative staff support)~~) relating to site applications. Membership, powers, functions, and duties of the Washington state utilities and transportation commission and the council shall otherwise remain as provided by law.

(3)(a) The council shall consist of (~~(the directors, administrators, or their designees, of the following departments, agencies, commissions, and committees or their statutory successors:~~

- ~~(i) Department of ecology;~~
- ~~(ii) Department of fish and wildlife;~~
- ~~(iii) Department of commerce;~~
- ~~(iv) Utilities and transportation commission; and~~
- ~~(v) Department of natural resources.~~

~~(b) The directors, administrators, or their designees, of the following departments, agencies, and commissions, or their statutory successors, may participate as council members at their own discretion provided they elect to participate no later than sixty days after an application is filed:~~

- ~~(i) Department of agriculture;~~
- ~~(ii) Department of health;~~
- ~~(iii) Military department; and~~
- ~~(iv) Department of transportation.~~

~~(c) Council membership is discretionary for agencies that choose to participate under (b) of this subsection only for applications that are filed with the council on or after May 8, 2001. For applications filed before May 8, 2001, council membership is mandatory for those agencies listed in (b) of this subsection);~~

(i) Two members of the growth management hearings board, preferably with experience or training in energy facilities or environmental impact analyses under the state environmental policy act;

(ii) The director, administrator, or their designee, of the department of fish and wildlife; and

(iii) The director, administrator, or their designee, of the department of ecology.

(b) If the proposed energy facility is proposed to be sited on or across shorelines of the state, as defined in RCW 90.58.030, or forest

land, as defined in RCW 76.09.020, the chair shall invite, depending on the impacts, a member from the shorelines hearings board for proposals that involve shorelines of the state and a designee from the department of natural resources for proposals that involve forest land to participate as a council member. If a member of the shorelines hearings board or a designee from the department of natural resources is invited and participates in the site certification of a proposed energy facility, that council member or designee shall serve on the council in place of one of the two growth management hearings board members.

(4) The appropriate county legislative authority of every county wherein an application for a proposed site is filed shall appoint a member or designee as a voting member to the council. The member or designee so appointed shall sit with the council only at such times as the council considers the proposed site for the county which he or she represents, and such member or designee shall serve until there has been a final acceptance or rejection of the proposed site.

(5) The city legislative authority of every city within whose corporate limits an energy facility is proposed to be located shall appoint a member or designee as a voting member to the council. The member or designee so appointed shall sit with the council only at such times as the council considers the proposed site for the city which he or she represents, and such member or designee shall serve until there has been a final acceptance or rejection of the proposed site.

(6) For any port district wherein an application for a proposed port facility is filed subject to this chapter, the port district shall appoint a member or designee as a nonvoting member to the council. The member or designee so appointed shall sit with the council only at such times as the council considers the proposed site for the port district which he or she represents, and such member or designee shall serve until there has been a final acceptance or rejection of the proposed site. The provisions of this subsection shall not apply if the port district is the applicant, either singly or in partnership or association with any other person.

(7) If the proposed energy facility is a nuclear power plant, the department of health shall appoint a designee from the department as a voting member of the council. The appointed designee shall sit with the council only at such times as the council considers the proposed site for a nuclear power plant, and the designee shall serve until there has been a final acceptance or rejection of the proposed site.

Sec. 4. RCW 80.50.040 and 2001 c 214 s 6 are each amended to read as follows:

The council shall have the following powers:

(1) To adopt, promulgate, amend, or rescind suitable rules and regulations, pursuant to chapter 34.05 RCW, to carry out the provisions of this chapter, and the policies and practices of the council in connection therewith;

(2) To develop and apply environmental and ecological guidelines and standards in relation to the type, design, location, construction, and operational conditions of certification of energy facilities subject to this chapter;

(3) To establish rules of practice for the conduct of public hearings (~~(pursuant to the provisions of the Administrative Procedure Act, as found in chapter 34.05 RCW);~~

(4) To prescribe the form, content, and necessary supporting documentation for site certification;

(5) To receive applications for energy facility locations and to investigate the sufficiency thereof;

(6) To (~~(make and)~~) enter into contracts, when applicable, for independent studies of sites proposed by the applicant, subject to the provisions of RCW 39.26.120;

(7) To conduct hearings on the proposed location of the energy facilities;

(8) (~~(To prepare written reports to the governor which shall include: (a) A statement indicating whether the application is in compliance with the council's guidelines, (b) criteria specific to the~~

~~site and transmission line routing, (e) a council recommendation as to the disposition of the application, and (d) a draft certification agreement when the council recommends approval of the application;)) To approve or deny an application for site certification of a proposed energy facility;~~

(9) To prescribe the means for monitoring of the effects arising from the construction and the operation of energy facilities to assure continued compliance with terms of certification and/or permits issued by the council pursuant to chapter 90.48 RCW or subsection (12) of this section: PROVIDED, That any on-site inspection required by the council shall be performed by other state agencies pursuant to interagency agreement: PROVIDED FURTHER, That the council may retain authority for determining compliance relative to monitoring;

(10) To integrate its site evaluation activity with activities of federal agencies having jurisdiction in such matters to avoid unnecessary duplication;

(11) To present state concerns and interests to other states, regional organizations, and the federal government on the location, construction, and operation of any energy facility which may affect the environment, health, or safety of the citizens of the state of Washington;

(12) To issue permits in compliance with applicable provisions of the federally approved state implementation plan adopted in accordance with the Federal Clean Air Act, as now existing or hereafter amended, for the new construction, reconstruction, or enlargement or operation of energy facilities: PROVIDED, That such permits shall become effective only if the ~~((governor))~~ council approves an application for certification and executes a certification agreement pursuant to this chapter: AND PROVIDED FURTHER, That all such permits be conditioned upon compliance with all provisions of the federally approved state implementation plan which apply to energy facilities covered within the provisions of this chapter; ~~((and))~~

(13) To serve as an interagency coordinating body for energy-related issues;

(14) To develop standards for an expedited siting process for the state of Washington, local governments, and other political subdivisions of the state in relation to the type, design, location, construction, operational conditions, and decommissioning of energy facilities subject to this chapter; and

(15) To enter into interlocal agreements with towns, cities, and counties for the purpose of issuing site certifications for energy facilities within the geographic jurisdiction of the local government.

NEW SECTION. Sec. 5. A new section is added to chapter 80.50 RCW to read as follows:

(1) Beginning December 1, 2014, the council must use:

(a) Council standards as provided under Title 463 WAC for the siting, construction, operation, and decommissioning of energy facilities; or

(b) For issues not addressed in the standards in (a) and (d) of this subsection, Oregon Administrative Rules, chapter 345, in effect as of January 1, 2013, except for the following:

- (i) Oregon Administrative Rule 345-023-0005;
- (ii) Oregon Administrative Rule 345-023-0020;
- (iii) Oregon Administrative Rule 345-023-0030;
- (iv) Oregon Administrative Rule 345-023-0040;
- (v) Oregon Administrative Rule 345-024-0500;
- (vi) Oregon Administrative Rule 345-022-0080; and
- (vii) Oregon Administrative Rule 345-022-0030.

(c) When Oregon Administrative Rules reference an Oregon state agency or other Oregon governmental entity, the council must identify the most equivalent Washington state agency or governmental entity and substitute the Washington agency or entity in place of the Oregon state agency or Oregon governmental entity.

(d) To issue a site certificate, the council, after consultation with

appropriate state agencies, must find that:

(i) For plant species that the Washington state natural heritage program has listed as threatened or endangered under chapter 79.70 RCW, the design, construction, and operation of the proposed facility, taking into account mitigation:

(A) Are consistent with the protection and conservation program, if any, that the natural heritage program has adopted under chapter 79.70 RCW; or

(B) If the natural heritage program has not adopted a protection and conservation program, are not likely to cause a significant reduction in the likelihood of survival or recovery of the species; and

(ii) For wildlife species that the Washington department of fish and wildlife has listed as threatened or endangered under RCW 77.12.020, the design, construction, and operation of the proposed facility, taking into account mitigation, are not likely to cause a significant reduction in the likelihood of survival or recovery of the species.

(2) The council may issue a site certificate for an energy facility that does not meet one or more of the standards adopted under subsection (1) of this section if the council determines that the overall public benefits of the energy facility outweigh the impact on the resources protected by the standards the facility does not meet.

(3)(a) By December 1, 2014, cities and counties must use the minimum standards in subsection (1) of this section when permitting energy facilities.

(i) Any local government or political subdivision that is not the council, with minimum energy facility siting standards adopted prior to the effective date of this section, is exempt from the provisions of this section for as long as the existing minimum standards remain in effect. The minimum standards adopted by the local government or a political subdivision that is not the council before this section takes effect may be amended in a manner consistent with this section when permitting energy facilities applied for under this chapter.

(ii) Any local government or political subdivision that is not the council, when determining the timeline for the environmental review of the proposed energy facility, may adjust the timeline depending on the proposed energy facility's compliance with the standards in this section. If a proposed energy facility meets the energy facility siting standards, the environmental review of the proposed energy facility must be completed within six months.

(iii) Within one week of submitting an application to either a local government or political subdivision that is not the council, an applicant must provide notice of the application to adjacent landowners who own property located within one mile of the proposed site of the energy facility. The notice must be provided by mailing the notice to the latest recorded real property owners, as shown by the records of the county assessor.

(iv) A county, city, or town is authorized to approve an energy facility only if its land use ordinances are in compliance with the growth management act and any order issued by the growth management hearings board.

(b) The council and any local government in the state may enter into, and are encouraged to enter into, an interlocal agreement as provided under chapter 39.34 RCW for the purpose of authorizing the council to issue site certifications for energy facilities within the geographic jurisdiction of the local government. Any such interlocal agreements may include recognition of jurisdiction or site-specific characteristics necessary to ensure compatibility for energy facilities permitted under this chapter.

(4)(a) An energy technology company may seek preapproval of its energy technology by submitting to the council an energy technology preapproval application to the council. The council shall impose a charge to cover necessary costs to process the preapproval application.

(b) For each preapproval application submitted by an applicant under (a) of this subsection, the council shall develop through rule

making the standards an energy technology must meet to be a preapproved energy technology. The applicant is responsible for the cost associated with the rule making and the council must collect a fee from the applicant to recover the cost of the rule making.

(c) The council shall maintain a list of energy technologies to be granted expedited environmental review or processing under this chapter and the specific standards adopted under this subsection.

(5) Any person may petition the council to request the adoption, amendment, or repeal of any council rule as allowed in RCW 34.05.330. Any person petitioning the council requesting the adoption, amendment, or repeal of any council rule is responsible for reimbursing the council for cost associated with adopting, amending, or repealing a rule.

Sec. 6. RCW 80.50.045 and 2006 c 196 s 3 are each amended to read as follows:

(1)(a) The council shall consult with other state agencies, utilities, local municipal governments, public interest groups, tribes, and other interested persons to convey their views to the secretary and the federal energy regulatory commission regarding appropriate limits on federal regulatory authority in the siting of electrical transmission corridors in the state of Washington.

((2)) (b) The council is designated as the state authority for purposes of siting electrical transmission facilities under the national energy policy act of 2005 and for purposes of other such rules or regulations adopted by the secretary. The council's authority regarding electrical transmission facilities is limited to those electrical transmission facilities that are the subject of section 1221 of the national energy policy act and this chapter.

((3)) (c) For the construction and modification of electrical transmission facilities that are the subject of section 1221 of the national energy policy act, the council may: ((a)) (i) Approve the siting of the facilities; and ((b)) (ii) consider the interstate benefits expected to be achieved by the proposed construction or modification of the facilities in the state.

((4)) (d) When developing recommendations as to the disposition of an application for the construction or modification of electrical transmission facilities under this chapter, the fuel source of the electricity carried by the transmission facilities shall not be considered.

(2) The council shall monitor the activities of the federal energy regulatory commission and may receive notifications for energy projects located in Washington that are under the regulatory oversight of the federal energy regulatory commission. These notifications must include, but are not limited to, project filings, delegated orders, notices, and the federal energy regulatory commission decisions.

Sec. 7. RCW 80.50.060 and 2007 c 325 s 2 are each amended to read as follows:

(1)(a) Except as provided under (b) and (c) of this subsection, the provisions of this chapter apply to the construction of energy facilities which includes the new construction of energy facilities ((and the reconstruction or enlargement of existing energy facilities where the net increase in physical capacity or dimensions resulting from such reconstruction or enlargement meets or exceeds those capacities or dimensions set forth in RCW 80.50.020 (7) and (15)). No construction of such energy facilities may be undertaken, except as otherwise provided in this chapter, after July 15, 1977, without first obtaining certification in the manner provided in this chapter.

(2) The provisions of this chapter apply to the construction, reconstruction, or enlargement of a new or existing energy facility that exclusively uses alternative energy resources and chooses to receive certification under this chapter, regardless of the generating capacity of the project)) if the applicant chooses to receive certification under this chapter.

((3)) (b) Any proposed nuclear power facility in Washington, where the primary purpose is to produce and sell electricity, must apply to the council for site certification.

(c) Any proposed transmission pipeline facility in Washington must apply to the council for site certification.

(2)(a) The provisions of this chapter apply to the construction, reconstruction, or modification of electrical transmission facilities when:

(i) The facilities are located in a national interest electric transmission corridor as specified in RCW 80.50.045;

(ii) An applicant chooses to receive certification under this chapter, and the facilities are: (A) Of a nominal voltage of at least one hundred fifteen thousand volts and are located in a completely new corridor, except for the terminus of the new facility or interconnection of the new facility with the existing grid, and the corridor is not otherwise used for electrical transmission facilities; and (B) located in more than one jurisdiction that has promulgated land use plans or zoning ordinances; or

(iii) An applicant chooses to receive certification under this chapter, and the facilities are: (A) Of a nominal voltage in excess of one hundred fifteen thousand volts; and (B) located outside an electrical transmission corridor identified in (a)(i) and (ii) of this subsection ((3)) (2).

(b) For the purposes of this subsection, "modify" means a significant change to an electrical transmission facility and does not include the following: (i) Minor improvements such as the replacement of existing electrical transmission line facilities or supporting structures with equivalent facilities or structures; (ii) the relocation of existing electrical transmission line facilities; (iii) the conversion of existing overhead lines to underground; or (iv) the placing of new or additional conductors, supporting structures, insulators, or their accessories on or replacement of supporting structures already built.

((4)) (3) The provisions of this chapter shall not apply to normal maintenance and repairs which do not increase the capacity or dimensions ~~((beyond those set forth in RCW 80.50.020 (7) and (15)))~~ of an energy facility.

(4) The provisions of this chapter do not apply to an energy facility that previously has been approved or denied by a local government.

(5) Applications for certification of energy facilities made prior to July 15, 1977, shall continue to be governed by the applicable provisions of law in effect on the day immediately preceding July 15, 1977, with the exceptions of RCW 80.50.190 and 80.50.071 which shall apply to such prior applications and to site certifications prospectively from July 15, 1977.

(6) Applications for certification shall be upon forms prescribed by the council and shall be supported by such information and technical studies as the council may require.

NEW SECTION. Sec. 8. A new section is added to chapter 80.50 RCW to read as follows:

(1) Each applicant for a site certificate shall submit to the council a preliminary application for a site certificate. The preliminary application must provide information about the proposed site and the characteristics of the energy facility sufficient for the preparation of the council's notice of application requirements. The preliminary application must specify whether the proposed energy facility will comply with local land use ordinances in the jurisdiction or jurisdictions in which it is proposed.

(2)(a) The chair of the council shall provide notice to the public within three working days of receiving a preliminary application. Within one week of submitting a preliminary application to the council, an applicant must provide notice of the application to adjacent landowners by mailing the notice to the latest recorded real property owners, as shown by the records of the county assessor, who own property located within one mile of the proposed site of the energy facility. The public notice must provide a description of the proposed site and facility in sufficient detail to inform the public of the location and proposed use of the site.

(b) After the chair of the council provides public notice, a city, county, or regional planning authority may not change land use plans or zoning ordinances so as to affect the proposed site.

(3) Within three working days after the chair of the council provides public notice, an applicant for a site certification shall distribute the preliminary application to any agency that has regulatory or advisory responsibility with respect to the facility and any city or county affected by the application.

(4) No more than thirty-five days after receiving a preliminary application, the chair of the council shall issue a notice of application requirements establishing the statutes, administrative rules, council standards, local ordinances, application requirements, and study requirements for the site certificate application. The chair of the council may consider whether the proposed facility is in compliance with city, county, or regional land use plans or zoning ordinances and may specify additional requirements in the notice of application based on a review of plans and ordinances where the proposed facility is to be located.

(5) Following issuance of the notice of application requirements, an applicant must submit an application for site certification consistent with the notice of application.

(6) The chair of the council shall determine within fifteen days of submission of the application whether an application meets the council's requirements.

NEW SECTION. Sec. 9. A new section is added to chapter 80.50 RCW to read as follows:

(1)(a) Following requirements set forth under chapter 43.21C RCW, the chair must oversee an environmental review of the proposed energy facility.

(b) After the chair of the council determines whether an application meets council requirements as provided under section 8 of this act, the chair shall within three working days initiate a scoping process to determine the range of proposed actions, alternatives, and impacts to be examined in the environmental impact statement.

(c) The chair of the council shall notify any agency that has regulatory or advisory responsibility with respect to the facility and any city or county affected by the application of the scoping process.

(d) Within thirty days of initiating the scoping process, the chair of the council shall conduct a public hearing and submit scoping recommendations to the council in order for the council to establish a timeline for the environmental review of the proposed energy facility.

(e) Within fourteen days of receiving the timeline recommendations from the chair of the council, the council must determine whether the environmental review process as required under chapter 43.21C RCW for the proposed energy facility must be completed within six months, twelve months, or longer. In determining the timeline, the council may adjust the timeline depending on the proposed energy facility's compliance with the standards under section 5 of this act. If a proposed energy facility meets the energy facility siting standards under section 5 of this act, the environmental review of the proposed energy facility must be completed within six months. The environment review for proposed energy facilities that do not meet the standards in section 5 of this act must be completed within twelve months, unless the council determines that due to the complexity of the proposed energy facility, the environmental review should be longer.

(f) If the council establishes an environmental review process for more than six months, the attorney general shall appoint an assistant attorney general as a counsel for the environment. The counsel for the environment shall represent the public and its interest in protecting the quality of the environment. Costs incurred by the counsel for the environment in the performance of these duties must be charged to the office of the attorney general, and may not be a charge against the appropriation to the energy facility site evaluation council. The counsel for the environment must be accorded all the rights, privileges, and responsibilities of an attorney representing a party in a

formal action. This section may not be construed to prevent any person from being heard or represented by counsel in accordance with the other provisions of this chapter.

(g) Within the timeline established by the council, the chair of the council shall publish a draft environmental impact statement, solicit comments on the draft environmental impact statement, hold a public hearing on the draft environmental impact statement, consider comments received on the draft environmental impact statement, and submit to the council a recommended final environmental impact statement. In submitting the recommended final environmental impact statement to the council, the chair shall specify whether there are any disputed items based on public input provided during the development of the recommended final environmental impact statement.

(i) If there are disputed items in the recommended final environmental impact statement, the council shall hold a public hearing within fifteen days on the draft environmental impact statement under this subsection (1)(g). At the hearing, the chair shall provide a report to the council regarding the recommended environmental impact statement and regarding the disputed items in the recommended environmental impact statement. The issues that may be considered at the public hearing under this subsection are limited to those issues raised during the preliminary application process and during the environmental review process that lead to the development of the recommended environmental impact statement. The chair shall specify to the council the basis for decisions made relating to the disputed items contained in the recommended final environmental impact statement. Based on the input of the chair, the applicant, and the public at the public hearing, the council may elect to address the disputed items from the recommended environmental impact statement in the final environmental impact statement. The council shall issue the final environmental impact statement within fifteen days of the public hearing required under this subsection.

(ii) If there are no disputed items in the recommended final environmental impact statement, the chair shall submit to the council the recommended final environmental impact statement within fifteen days of the public hearing under this subsection (1)(g) and the council shall adopt the recommended final environmental impact statement as the final environmental impact statement.

(2) The council may contract with independent consultants to review information from the public hearing and to prepare the draft and final environmental impact assessments.

NEW SECTION. Sec. 10. A new section is added to chapter 80.50 RCW to read as follows:

(1) Within fifteen days of issuing the final environmental impact statement, the chair of the council shall prepare and issue an initial order and draft site certification based on the final environmental impact statement.

(2) Within fifteen days of receiving an initial order and draft site certification, the council must make a final decision on the application. The council must either approve the application and execute the draft certification agreement or reject the application for site certification. If the council fails to make a final decision, the initial order submitted by the chair becomes the final order on the fifteenth day following receipt of the initial order.

Sec. 11. RCW 80.50.071 and 2011 c 261 s 1 are each amended to read as follows:

(1) The council shall receive all preliminary applications and applications for energy facility site certification under this chapter. Each applicant shall pay such reasonable costs as are actually and necessarily incurred by the council in processing a preliminary application or an application.

(a) Each applicant shall, at the time of application submission, deposit fifty thousand dollars, or such greater amount as may be specified by the council after consultation with the applicant. Costs that may be charged against the deposit include, but are not limited to,

independent consultants' costs, councilmember's wages, employee benefits, costs of a hearing examiner, costs of a court reporter, staff salaries, wages and employee benefits, goods and services, travel expenses, and miscellaneous direct expenses as arise directly from processing an application.

(b) The council may commission its own independent consultant study to measure the consequences of the proposed energy facility on the environment or any matter that it deems essential to an adequate appraisal of the site. The council shall provide an estimate of the cost of the study to the applicant and consider applicant comments.

(c) The council shall submit to each applicant a statement of such expenditures made during the preceding calendar quarter which shall be in sufficient detail to explain such expenditures. The applicant shall pay the state treasurer the amount of such statement to restore the total amount on deposit to the originally established level: PROVIDED, That such applicant may, at the request of the council, increase the amount of funds on deposit to cover anticipated expenses during peak periods of application processing. Any funds remaining unexpended at the conclusion of application processing shall be refunded to the applicant, or at the applicant's option, credited against required deposits of certificate holders.

(2) Each certificate holder shall pay such reasonable costs as are actually and necessarily incurred by the council for inspection and determination of compliance by the certificate holder with the terms of the certification relative to monitoring the effects of construction, operation, and site restoration of the facility.

(a) Each certificate holder, within thirty days of execution of the site certification agreement, shall have on deposit fifty thousand dollars, or such greater amount as may be specified by the council after consultation with the certificate holder. Costs that may be charged against the deposit include, but are not limited to, those specified in subsection (1)(a) of this section as arise from inspection and determination of compliance by the certificate holder with the terms of the certification.

(b) The council shall submit to each certificate holder a statement of such expenditures actually made during the preceding calendar quarter which shall be in sufficient detail to explain such expenditures. The certificate holder shall pay the state treasurer the amount of such statement to restore the total amount on deposit to the originally established level: PROVIDED, That if the actual expenditures for inspection and determination of compliance in the preceding calendar quarter have exceeded the amount of funds on deposit, such excess costs shall be paid by the certificate holder.

(3) If an applicant or certificate holder fails to provide the initial deposit, or if subsequently required payments are not received within thirty days following receipt of the statement from the council, the council may (a) in the case of the applicant, suspend processing of the application until payment is received; or (b) in the case of a certificate holder, suspend the certification.

(4) All payments required of the applicant or certificate holder under this section are to be made to the state treasurer who shall make payments as instructed by the council from the funds submitted. All such funds shall be subject to state auditing procedures. Any unexpended portions thereof shall be returned to the applicant or certificate holder.

(5)(a) Upon receipt of an application for an energy facility site certification proposing an energy plant (~~or alternative energy resource~~) that is connected to electrical transmission facilities of a nominal voltage of at least one hundred fifteen thousand volts, the council shall notify in writing the United States department of defense. The notification shall include, but not be limited to, the following:

(i) A description of the proposed energy plant or alternative energy resource;

(ii) The location of the site;

(iii) The placement of the energy plant or alternative energy resource on the site;

(iv) The date and time by which comments must be received by the council; and

(v) Contact information of the council and the applicant.

(b) The purpose of the written notification is to provide an opportunity for the United States department of defense to comment upon the application, and to identify potential issues relating to the placement and operations of the energy plant or alternative energy resource, before a site certification application is approved. The time period set forth by the council for receipt of such comments shall not extend the time period for the council's processing of the application.

(c) In order to assist local governments required to notify the United States department of defense under RCW 35.63.270, 35A.63.290, and 36.01.320, the council shall post on its web site the appropriate information for contacting the United States department of defense.

Sec. 12. RCW 80.50.075 and 2006 c 205 s 2 are each amended to read as follows:

(1) Any person filing an application for certification of an energy facility (~~or an alternative energy resource facility~~) pursuant to this chapter may apply to the council for an expedited processing of such an application. The application for expedited processing shall be submitted to the council in such form and manner and accompanied by such information as may be prescribed by council rule. The council may grant an applicant expedited processing of an application for certification upon finding that the environmental impact of the proposed energy facility is not significant or will be mitigated to a nonsignificant level under RCW 43.21C.031 (~~and the project is found under RCW 80.50.090(2) to be consistent and in~~). Review must consider compliance with city, county, or regional land use plans or zoning ordinances.

(2) Upon granting an applicant expedited processing of an application for certification, the council shall not be required to:

(a) Commission an independent study to further measure the consequences of the proposed energy facility (~~or alternative energy resource facility~~) on the environment, notwithstanding the other provisions of RCW 80.50.071; nor

(b) Hold an adjudicative proceeding under chapter 34.05 RCW, the administrative procedure act, on the application.

(3) The council shall adopt rules governing the expedited processing of an application for certification pursuant to this section.

Sec. 13. RCW 80.50.085 and 2001 c 214 s 5 are each amended to read as follows:

(1) After the council has received a preliminary site application, council staff shall assist applicants in identifying issues presented by the preliminary application and the application.

(2) Council staff shall review all information submitted and recommend resolutions to issues in dispute that would allow site approval.

(3) Council staff may make recommendations to the council on conditions that would allow site approval.

Sec. 14. RCW 80.50.100 and 2011 c 180 s 109 are each amended to read as follows:

~~((1)(a) The council shall report to the governor its recommendations as to the approval or rejection of an application for certification within twelve months of receipt by the council of such an application, or such later time as is mutually agreed by the council and the applicant.~~

~~(b))~~ In the case of an application filed prior to December 31, 2025, for certification of an energy facility proposed for construction, modification, or expansion for the purpose of providing generating facilities that meet the requirements of RCW 80.80.040 and are located in a county with a coal-fired electric (~~generating~~ generation) facility subject to RCW 80.80.040(3)(c), the council shall expedite the processing of the application pursuant to

RCW 80.50.075 and shall ~~((report its recommendations to the governor))~~ issue a site certification or reject the site certification application within one hundred eighty days of receipt by the council of such an application, or a later time as is mutually agreed by the council and the applicant.

~~((2) If the council recommends approval of an application for certification, it shall also submit a draft certification agreement with the report. The council shall include conditions in the draft certification agreement to implement the provisions of this chapter, including, but not limited to, conditions to protect state or local governmental or community interests affected by the construction or operation of the energy facility, and conditions designed to recognize the purpose of laws or ordinances, or rules or regulations promulgated thereunder, that are preempted or superseded pursuant to RCW 80.50.110 as now or hereafter amended.~~

~~(3)(a) Within sixty days of receipt of the council's report the governor shall take one of the following actions:~~

~~(i) Approve the application and execute the draft certification agreement; or~~

~~(ii) Reject the application; or~~

~~(iii) Direct the council to reconsider certain aspects of the draft certification agreement.~~

~~(b) The council shall reconsider such aspects of the draft certification agreement by reviewing the existing record of the application or, as necessary, by reopening the adjudicative proceeding for the purposes of receiving additional evidence. Such reconsideration shall be conducted expeditiously. The council shall resubmit the draft certification to the governor incorporating any amendments deemed necessary upon reconsideration. Within sixty days of receipt of such draft certification agreement, the governor shall either approve the application and execute the certification agreement or reject the application. The certification agreement shall be binding upon execution by the governor and the applicant.~~

~~(4) The rejection of an application for certification by the governor shall be final as to that application but shall not preclude submission of a subsequent application for the same site on the basis of changed conditions or new information.)~~

Sec. 15. RCW 80.50.105 and 1991 c 200 s 1112 are each amended to read as follows:

~~((In making its recommendations to the governor under this chapter regarding))~~ For an application that includes transmission pipeline facilities for petroleum products, the council shall give appropriate weight to city or county facility siting standards adopted for the protection of sole source aquifers.

Sec. 16. RCW 80.50.110 and 1975-'76 2nd ex.s. c 108 s 37 are each amended to read as follows:

(1) If any provision of this chapter is in conflict with any other provision, limitation, or restriction which is now in effect under any other law of this state, or any rule or regulation promulgated thereunder, this chapter shall govern and control and such other law or rule or regulation promulgated thereunder shall be deemed superseded for the purposes of this chapter.

(2) The state hereby preempts the regulation and certification of the location, construction, and operational conditions of certification of the energy facilities included under RCW 80.50.060 as now or hereafter amended.

(3) For an energy facility interconnecting to an electric utility's distribution system, the application of standards and terms of a site certification by the council under this chapter only applies to the part of the facility within the geographic boundaries of the proposed facility and not to the electrical interconnection of a facility to the electric utility's distribution system.

Sec. 17. RCW 80.50.120 and 1977 ex.s. c 371 s 10 are each amended to read as follows:

Except as provided in RCW 80.50.110:

(1) Subject to the conditions set forth therein any certification shall bind the state and each of its departments, agencies, divisions, bureaus, commissions, boards, and political subdivisions, whether a member of the council or not, as to the approval of the site and the construction and operation of the proposed energy facility.

(2) The certification shall authorize the person named therein to construct and operate the proposed energy facility subject only to the conditions set forth in such certification.

(3) The issuance of a certification shall be in lieu of any permit, certificate or similar document required by any department, agency, division, bureau, commission, board, or political subdivision of this state, whether a member of the council or not.

NEW SECTION. Sec. 18. A new section is added to chapter 80.50 RCW to read as follows:

A city and county that has approved an energy facility through a local permitting process shall submit to the council within thirty days of the issuance of a permit a copy of the permit and any conditions of approval.

NEW SECTION. Sec. 19. A new section is added to chapter 43.21C RCW to read as follows:

For the purposes of this chapter, the energy facility site evaluation council may choose to establish timelines related to the siting of energy facilities under chapter 80.50 RCW that are shorter than those required by this chapter. A town, city, or county may choose to establish timelines related to the siting of energy facilities that are shorter than those required by this chapter if a proposed energy facility meets the siting standards under section 5 of this act.

NEW SECTION. Sec. 20. The following acts or parts of acts are each repealed:

(1) RCW 80.50.080 (Counsel for the environment) and 1977 ex.s. c 371 s 6 & 1970 ex.s. c 45 s 8;

(2) RCW 80.50.090 (Public hearings) and 2006 c 205 s 3, 2006 c 196 s 6, 2001 c 214 s 7, 1989 c 175 s 173, & 1970 ex.s. c 45 s 9; and

(3) RCW 80.50.320 (Governor to evaluate council efficiency, make recommendations) and 2001 c 214 s 8."

Correct the title.

Representative Morris moved the adoption of amendment (275) to amendment (257).

On page 11, beginning on line 34 of the striking amendment, strike all of subsection (2)

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

Representatives Morris and Short spoke in favor of the adoption of the amendment to the amendment.

Amendment (275) was adopted to amendment (257).

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

Amendment (257) was adopted as amended.

The bill was ordered engrossed.

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

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

Representative Short 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. 1374.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1374, and the bill passed the House by the following vote: Yeas, 53; Nays, 44; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Blake, Buys, Chandler, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative Condotta.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1374, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1552, by Representatives Goodman, Klippert, Freeman, Kirby, Morrell, Seaquist, Sullivan, Appleton, Ryu, Hunt, Stanford, Kochmar, Maxwell, Takko, Bergquist, Warnick, Manweller, Green and Fey

Reducing scrap metal theft.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1552 was substituted for House Bill No. 1552 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1552 was read the second time.

With the consent of the house, amendments (28) and (221) were withdrawn.

Representative Klippert moved the adoption of amendment (57).

On page 6, beginning on line 21, after "Sec. 6." insert the following:

"RCW 19.290.030 and 2008 c 233 s 3 are each amended to read as follows:

(1) No scrap metal business may enter into a transaction to purchase or receive private metal property or nonferrous metal property from any person who cannot produce at least one piece of current government-issued picture identification, including a valid driver's license or identification card issued by any state.

(2) No scrap metal business may purchase or receive private metal property or commercial metal property unless the seller: (a) Has a commercial account with the scrap metal business; (b) can prove ownership of the property by producing written documentation

that the seller is the owner of the property; or (c) can produce written documentation that the seller is an employee or agent authorized to sell the property on behalf of a commercial enterprise.

(3) No scrap metal business may enter into a transaction to purchase or receive metallic wire that was burned in whole or in part to remove insulation unless the seller can produce written proof to the scrap metal business that the wire was lawfully burned.

(4)~~(a)~~ No transaction involving private metal property or nonferrous metal property (~~valued at greater than thirty dollars~~) may be made in cash or with any person who does not provide a street address under the requirements of RCW 19.290.020 except as described in subsections (b) or (c) of this subsection. (~~For transactions valued at greater than thirty dollars, the~~)The person with whom the transaction is being made may only be paid by a nontransferable check, mailed by the scrap metal business to a street address provided under RCW 19.290.020, no earlier than (ten) three days after the transaction was made. A transaction occurs on the date provided in the record required under RCW 19.290.020.

(b) A transaction involving nonferrous metal property in the form of aluminum cans, bottles, or other small aluminum beverage or food containers valued at thirty dollars or less may be made in cash.

(c) A scrap metal business licensed under this chapter that digitally captures: (i) a copy of one piece of current government-issued picture identification, including a current driver's license or identification card issued by any state and (ii) either a picture or video of either the material subject to the transaction in the form received or the material subject to the transaction within the vehicle which the material was transported to the scrap metal business, may pay up to a maximum of thirty dollars in cash. The balance of the value of the transaction may be made by nontransferable check at the time the transaction is made. A scrap metal business's usage of video surveillance shall be sufficient to comply with subsection (c)(ii) of this subsection as long as the video captures the material subject to the transaction. A digital image or picture taken under this subsection must be available for two years from the date of transaction, while a video recording must be available for thirty days.

(5) No scrap metal business may purchase or receive beer kegs from anyone except a manufacturer of beer kegs or licensed brewery.

Sec. 7."

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

Correct the title.

Representatives Klippert and Goodman spoke in favor of the adoption of the amendment.

Amendment (57) was adopted.

Representative Goodman moved the adoption of amendment (220).

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

"Sec. 7. RCW 19.290.050 and 2008 c 233 s 5 are each amended to read as follows:

(1) Upon written request by any commissioned law enforcement officer of the state or any of its political subdivisions, every scrap metal business shall furnish a full, true, and correct transcript of the records from the purchase or receipt of private metal property, nonferrous metal property, and commercial metal property involving a specific individual, vehicle, or item of private metal property, nonferrous metal property, or commercial metal property. Any written request shall become an addition to the permanent records required under RCW 19.290.020 or 19.290.040. This information may be transmitted within a specified time of not less than two business days to the applicable law enforcement agency electronically, by facsimile transmission, or by modem or similar

device, or by delivery of computer disk subject to the requirements of, and approval by, the chief of police or the county's chief law enforcement officer.

(2) If the scrap metal business has good cause to believe that any private metal property, nonferrous metal property, or commercial metal property in his or her possession has been previously lost or stolen, the scrap metal business shall promptly report that fact to the applicable commissioned law enforcement officer of the state, the chief of police, or the county's chief law enforcement officer, together with the name of the owner, if known, and the date when and the name of the person from whom it was received.

(3) Compliance with this section shall not give rise to or form the basis of private civil liability on the part of a scrap metal business or scrap metal recycler.

Sec. 8. RCW 19.290.060 and 2008 c 233 s 6 are each amended to read as follows:

(1) Following notification(~~(, either verbally or)~~) in writing(~~(s)~~) from a commissioned law enforcement officer of the state or any of its political subdivisions that an item of private metal property, nonferrous metal property, or commercial metal property has been reported as stolen, a scrap metal business shall hold that property intact and safe from alteration, damage, or commingling, and shall place an identifying tag or other suitable identification upon the property. The scrap metal business shall hold the property for a period of time as directed by the applicable law enforcement agency up to a maximum of ten business days.

(2) A commissioned law enforcement officer of the state or any of its political subdivisions shall not place on hold any item of private metal property, nonferrous metal property, or commercial metal property unless that law enforcement agency reasonably suspects that the property is a lost or stolen item. Any hold that is placed on the property must be removed within ten business days after the property on hold is determined not to be stolen or lost and the property must be returned to the owner or released.

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

On page 8, line 21, after "statement" insert "or"

On page 8, beginning on line 22, after "identification," strike all material through "metal" on line 23 and insert "with the intent to deceive a scrap metal business"

On page 8, after line 24, insert the following:

"Sec. 8. RCW 19.290.090 and 2008 c 233 s 8 are each amended to read as follows:

The provisions of this chapter do not apply to transactions involving metal from the components of vehicles acquired by vehicle wreckers, hulk haulers, or scrap processors licensed under chapter 46.79 or 46.80 RCW, and acquired in accordance with those laws or transactions conducted by the following:

(1) Motor vehicle dealers licensed under chapter 46.70 RCW;

(2) ~~((Metal from the components of vehicles acquired by vehicle wreckers or hulk haulers licensed under chapter 46.79 or 46.80 RCW, and acquired in accordance with those laws;~~

~~—(3))~~ Persons in the business of operating an automotive repair facility as defined under RCW 46.71.011; and

~~((4))~~ (3) Persons in the business of buying or selling empty food and beverage containers, including metal food and beverage containers.

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

On page 17, beginning on line 5, strike all of section 22

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

On page 39, after line 17, insert the following:

"NEW SECTION. Sec. 34. Sections 8 through 19 of this act take effect January 1, 2014.

NEW SECTION. Sec. 35. The director of the department of licensing may take the necessary steps to ensure that sections 8 through 19 of this act are implemented on January 1, 2014."

Correct the title.

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

Amendment (220) was adopted.

Representative Goodman moved the adoption of amendment (270).

On page 13, beginning on line 25, after "**Sec. 20.**" strike all material through "faith" on page 15, line 31 and insert "A new section is added to chapter 36.28A RCW to read as follows:

(1) When funded, the Washington association of sheriffs and police chiefs shall establish a grant program to assist local law enforcement agencies in the support of special enforcement emphasis targeting metal theft. Grant applications shall be reviewed and awarded through peer review panels. Grant applicants are encouraged to utilize multijurisdictional efforts.

(2) Each grant applicant shall:

(a) Show a significant metal theft problem in the jurisdiction or jurisdictions receiving the grant;

(b) Verify that grant awards are sufficient to cover increased investigation, prosecution, and jail costs;

(c) Design an enforcement program that best suits the specific metal theft problem in the jurisdiction or jurisdictions receiving the grant;

(d) Demonstrate community coordination focusing on prevention, intervention, and suppression; and

(e) Collect data on performance.

(3) The cost of administering the grants shall not exceed sixty thousand dollars, or three percent of appropriated funding, whichever is greater"

On page 15, beginning on line 32, strike all of section 21

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

On page 39, beginning on line 8, strike all of section 32

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

Correct the title.

Representatives Goodman and Klippert spoke in favor of the adoption of the amendment.

Amendment (270) was adopted.

The bill was ordered engrossed.

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

Representatives Goodman, Klippert, Johnson and Hayes spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1552.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1552, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

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

Excused: Representative Condotta.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1552, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1884, by Representatives Sells, Hope, Dunshee, Rodne, Riccelli and Ryu

Addressing the rate of compensation for occupational diseases.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1884 was substituted for House Bill No. 1884 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1884 was read the second time.

Representative Manweller moved the adoption of amendment (225).

On page 1, after line 14, insert the following:

"(3) The county legislative authority must give notice of any regular meeting held outside of the county seat. Notice must be given at least twenty days before the time of the meeting specified in the notice. At a minimum, notice must be:

(a) Posted on the county's web site;

(b) Published in a newspaper of general circulation in the county; and

(c) Sent via electronic transmission to any resident of the county who has chosen to receive the notice required under this section at an electronic mail address."

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

Representative Sells spoke against the adoption of the amendment.

Amendment (225) 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 Sells and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1884.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1884, and the bill passed the House by the following vote: Yeas, 91; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kristiansen, Lias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Seaquist, Sells, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Kretz, Pike, Schmick, Scott, Shea and Short.

Excused: Representative Condotta.

SUBSTITUTE HOUSE BILL NO. 1884, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1158, by Representatives Kirby, Green, O'Ban, Sawyer, Ryu and Morrell

Concerning the annexation of property owned by the state for military purposes.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1158 was substituted for House Bill No. 1158 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1158 was read the second time.

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

Representatives Kirby and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1158.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1158, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

SECOND SUBSTITUTE HOUSE BILL NO. 1158, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1159, by Representatives Lytton, Buys, Morris and Ryu

Increasing the number of superior court judges in Whatcom county.

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 Lytton and Buys spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1159.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1159, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Crouse, DeBolt, Hawkins, MacEwen, Pike, Scott, Shea and Taylor.

Excused: Representative Condotta.

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

HOUSE BILL NO. 1269, by Representatives Smith, Takko and Upthegrove

Allowing legal entities to cast votes in diking district elections.

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 Smith and Takko spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1269.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1269, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

HOUSE BILL NO. 1269, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1416, by Representatives Warnick, Manweller, Takko, Fagan and Schmick

Regarding the financing of irrigation district improvements. Revised for 2nd Substitute: Concerning the financing of irrigation district improvements.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1416 was substituted for House Bill No. 1416 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1416 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1416.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1416, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

SECOND SUBSTITUTE HOUSE BILL NO. 1416, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1486, by Representatives Fitzgibbon, Stanford, Bergquist, Roberts, Van De Wege, Ryu and Santos

Concerning voter-approved benefit charges for regional fire protection service authorities.

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 Fitzgibbon spoke in favor of the passage of the bill.

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1486.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1486, and the bill passed the House by the following vote: Yeas, 55; Nays, 42; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby,

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

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Crouse, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Rodne, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative Condotta.

HOUSE BILL NO. 1486, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1654, by Representatives Riccelli, Ormsby, Fitzgibbon, Tarleton, Van De Wege and Ryu

Establishing a regional fire protection service authority within the boundaries of a single city.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1654 was substituted for House Bill No. 1654 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1654 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 Riccelli spoke in favor of the passage of the bill.

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1654.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1654, and the bill passed the House by the following vote: Yeas, 60; Nays, 37; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Holy, Hudgins, Hunt, Hurst, Jinkins, Kagi, Kirby, Kochmar, Liias, Lytton, MacEwen, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Crouse, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Hope, Hunter, Johnson, Klippert, Kretz, Kristiansen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick and Wilcox.

Excused: Representative Condotta.

SUBSTITUTE HOUSE BILL NO. 1654, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1797, by Representatives Haler and Hunt

Concerning tax collection by the county treasurer.

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 Haler and Takko spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1797.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1797, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

HOUSE BILL NO. 1797, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1822, by Representative Stanford

Concerning debt collection practices.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1822 was substituted for House Bill No. 1822 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1822 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 Stanford and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1822.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1822, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Condotta.

SUBSTITUTE HOUSE BILL NO. 1822, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1466, by Representatives Haigh, Warnick, Dunshee, Fey, Kristiansen and Reykdal

Revising alternative public works contracting procedures.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1466 was substituted for House Bill No. 1466 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1466 was read the second time.

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

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

MOTION

On motion of Representative Van De Wege, Representatives Carlyle and Hurst was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1466.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1466, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Carlyle, Condotta and Hurst.

SUBSTITUTE HOUSE BILL NO. 1466, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1090, by Representatives Shea, Reykdal, Crouse, Holy, Springer and Dahlquist

Increasing the dollar amount for construction of a dock that does not qualify as a substantial development under the shoreline management act.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1090 was substituted for House Bill No. 1090 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1090 was read the second time.

Representative Takko moved the adoption of amendment (276).

On page 6, line 35, after "docks" strike "constructed" and insert "that are constructed to replace existing docks, are of equal or lesser square footage than the existing dock being replaced, and are located"

On page 6, beginning on line 38, after "dollars for" strike "docks constructed in a county, city, or town that has not updated its master program consistent with the master program guidelines in chapter 173-26 WAC as adopted in 2003" and insert "all other docks constructed in fresh waters"

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

Amendment (276) was adopted.

The bill was ordered engrossed.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1090.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1090, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Chandler, Clibborn, Cody, Crouse, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hope, Hudgins, Hunt, Hunter, Jinkins, Johnson, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, O'Ban, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Carlyle, Condotta and Hurst.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1090, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1007, by Representatives Kagi, Clibborn, Stanford, Ryu, Moscoso, Hudgins, Reykdal, Fitzgibbon, Appleton, Maxwell, Green and Fey

Concerning the covering of loads on public highways.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1007 was substituted for House Bill No. 1007 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1007 was read the second time.

With the consent of the house, amendments (193), (266), (198), (202) and (196) were withdrawn.

Representative Harris moved the adoption of amendment (194).

On page 1, line 16, after "(3)" strike "(a) From August 1, 2013, through June 30, 2015:"

On page 2, beginning on line 2, after "bed" strike all material through "used" on line 4 and insert ". A person that fails to secure a load pursuant to this subsection is guilty of an infraction as specified in subsection (7)(c) of this section, guilty of failure to secure a load in the first degree, which is a gross misdemeanor, if the load causes substantial bodily harm to another as specified in subsection (7)(a)(i) and (ii) of this section, or guilty of failure to secure a load in the second degree, which is a misdemeanor, if the load causes damage to the property of another as specified in subsection (7)(b)(i) and (ii) of this section."

On page 2, beginning on line 5, strike all material through line 23

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

Representative Liias spoke against the adoption of the amendment.

Amendment (194) was not adopted.

Representative Orcutt moved the adoption of amendment (191).

On page 1, line 17, after "highway" insert "and traveling at speeds of more than thirty-five miles per hour"

On page 2, line 6, after "highway" insert "and traveling at speeds of more than thirty-five miles per hour"

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

Representative Clibborn spoke against the adoption of the amendment.

Amendment (191) was not adopted.

Representative Orcutt moved the adoption of amendment (190).

On page 2, beginning on line 1, after "spillage" strike all material through "used" on line 4 and insert ". (~~Covering of such loads is not required if six inches of freeboard is maintained within the bed~~) A cover is not required under this subsection (3)(a) as long as the load does not exceed the freeboard of the bed"

On page 2, line 9, after "spillage." insert "A cover is not required under this subsection (3)(b) as long as the load does not exceed the freeboard of the bed."

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

Representative Clibborn spoke against the adoption of the amendment.

Amendment (190) was not adopted.

Representative Kretz moved the adoption of amendment (197).

On page 1, line 16, after "vehicle" insert ", except side dump trucks."

On page 2, line 6, after "weight" insert ", except side dump trucks."

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

Representative Clibborn spoke against the adoption of the amendment.

Amendment (197) was not adopted.

Representative Scott moved the adoption of amendment (195).

On page 2, beginning on line 10, after "(c)" strike all material through "(d)" on line 21

Representatives Scott, Wilcox and Orcutt spoke in favor of the adoption of the amendment.

Representative Liias spoke against the adoption of the amendment.

Amendment (195) was not adopted.

Representative Short moved the adoption of amendment (264).

On page 2, after line 23, insert the following:

"For the purposes of this subsection (3), "susceptible to being dropped, spilled, leaked, or otherwise escaping" means that the load, or particles, portions, or pieces of the load, is of such a low density that the load, or particles, portions, or pieces of the load, can be influenced by wind, other atmospheric and weather conditions, or road conditions."

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

Amendment (264) was adopted.

Representative Klippert moved the adoption of amendment (192).

On page 2, after line 23, insert the following:

"(e) For purposes of this subsection (3), "cover" means a tarp, other informal covering device, or a manufactured cover to fit a vehicle, which is securely fastened to the vehicle to cover the load that the vehicle is hauling."

Representatives Klippert and Clibborn spoke in favor of the adoption of the amendment.

Amendment (192) was adopted.

Representative Schmick moved the adoption of amendment (271).

On page 2, after line 23, insert the following:

"(e) (a) and (b) of this subsection do not apply to vehicles traveling on gravel roads."

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

Amendment (271) was adopted.

Representative Schmick moved the adoption of amendment (278).

On page 2, after line 23, insert the following:

"(e) Subsections (3)(a) and (b) of this section do not apply to farm vehicles carrying farm commodities."

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

Amendment (278) was adopted.

The bill was ordered engrossed.

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

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

Representatives Orcutt, Klippert, Scott, Shea, Kretz, Kochmar, Holy and Wilcox spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1007.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1007, and the bill passed the House by the following vote: Yeas, 53; Nays, 42; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Bergquist, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Hansen, Hope, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Lias, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morris, Moscoso, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Rodne, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Blake, Buys, Chandler, Crouse, Dahlquist, DeBolt, Fagan, Haigh, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Manweller, Morrell, Nealey, O'Ban, Orcutt, Overstreet, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Carlyle, Condotta and Hurst.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1007, 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. 1096
 HOUSE BILL NO. 1114
 HOUSE BILL NO. 1338
 HOUSE BILL NO. 1381
 HOUSE BILL NO. 1484
 ENGROSSED HOUSE BILL NO. 1554
 HOUSE BILL NO. 1588
 HOUSE BILL NO. 1612
 HOUSE BILL NO. 1715
 HOUSE BILL NO. 1737
 HOUSE BILL NO. 1800
 HOUSE BILL NO. 1839
 HOUSE BILL NO. 1840
 ENGROSSED HOUSE BILL NO. 1887

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

There being no objection, the House adjourned until 10:00 a.m., March 11, 2013, the 57th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

1007	Second Reading.....	32
1007-S	Second Reading.....	33
	Amendment Offered.....	33
	Third Reading Final Passage.....	34
1008	Second Reading.....	15
	Third Reading Final Passage.....	16
1013	Second Reading.....	16
	Amendment Offered.....	16
	Third Reading Final Passage.....	16
1028	Second Reading.....	14
	Third Reading Final Passage.....	14
1090	Second Reading.....	32
1090-S	Second Reading.....	32
	Amendment Offered.....	32
	Third Reading Final Passage.....	32
1096	Other Action.....	34
1114	Other Action.....	34
1117	Second Reading.....	17
1117-S	Second Reading.....	17
	Amendment Offered.....	17
	Third Reading Final Passage.....	17
1124	Second Reading.....	16
	Third Reading Final Passage.....	17
1158	Second Reading.....	29
1158-S2	Second Reading.....	29
	Third Reading Final Passage.....	29
1159	Second Reading.....	29
	Third Reading Final Passage.....	30
1247	Second Reading.....	11
1247-S	Second Reading.....	11
	Amendment Offered.....	11
	Third Reading Final Passage.....	12
1269	Second Reading.....	30
	Third Reading Final Passage.....	30
1301	Second Reading.....	18
1301-S2	Second Reading.....	18
	Amendment Offered.....	18
	Third Reading Final Passage.....	21
1306	Second Reading.....	4
1306-S2	Second Reading.....	5
	Amendment Offered.....	5
	Third Reading Final Passage.....	8
1338	Other Action.....	34

1374	Second Reading.....	21
1374-S2	Second Reading.....	22
	Amendment Offered.....	22
	Third Reading Final Passage.....	27
1381	Other Action.....	34
1395	Second Reading.....	8
	Amendment Offered.....	8
	Third Reading Final Passage.....	8
1416	Second Reading.....	30
1416-S2	Second Reading.....	30
	Third Reading Final Passage.....	30
1420	Second Reading.....	12
1420-S	Second Reading.....	12
	Third Reading Final Passage.....	13
1466	Second Reading.....	32
1466-S	Second Reading.....	32
	Third Reading Final Passage.....	32
1468	Second Reading.....	8
	Third Reading Final Passage.....	9
1473	Second Reading.....	9, 12
	Amendment Offered.....	9, 12
	Third Reading Final Passage.....	12
	Other Action.....	9, 12
1484	Other Action.....	34
1486	Second Reading.....	30
	Third Reading Final Passage.....	31
1552	Second Reading.....	27
1552-S	Second Reading.....	27
	Amendment Offered.....	27
1554	Other Action.....	34
1558	Second Reading.....	17
1558-S	Second Reading.....	17
	Third Reading Final Passage.....	17
1568	Second Reading.....	9
1568-S	Second Reading.....	9
	Third Reading Final Passage.....	9
1588	Other Action.....	34
1612	Other Action.....	34
1625	Second Reading.....	13
1625-S	Second Reading.....	13
	Amendment Offered.....	13

Third Reading Final Passage	13
Colloquy	13
1644	
Second Reading	13
Third Reading Final Passage	14
1648	
Second Reading	9
1648-S2	
Second Reading	9
Amendment Offered	9
Third Reading Final Passage	10
Colloquy	10
1654	
Second Reading	31
1654-S	
Second Reading	31
Third Reading Final Passage	31
1715	
Other Action	34
1737	
Other Action	34
1797	
Second Reading	31
Third Reading Final Passage	31
1800	
Other Action	34
1818	
Second Reading	10
Third Reading Final Passage	10
1822	
Second Reading	31
1822-S	
Second Reading	31
Third Reading Final Passage	32
1826	
Second Reading	3
Amendment Offered	3
Third Reading Final Passage	4
1839	
Other Action	34
1840	
Other Action	34
1841	
Second Reading	10
1841-S	
Second Reading	10
Third Reading Final Passage	11
1866	
Second Reading	4
1866-S	
Second Reading	4
Third Reading Final Passage	4
1884	
Second Reading	29
1884-S	
Second Reading	29
Amendment Offered	29
Third Reading Final Passage	29
1887	
Other Action	34
1892	
Second Reading	14
Third Reading Final Passage	15
1903	
Second Reading	11
Third Reading Final Passage	11

1922	Second Reading.....	15
1922-S	Second Reading.....	15
	Amendment Offered.....	15
	Third Reading Final Passage.....	15
1941	Second Reading.....	15
1941-S	Second Reading.....	15
	Third Reading Final Passage.....	15
1944	Second Reading.....	14
1944-S	Second Reading.....	14
	Amendment Offered.....	14
	Third Reading Final Passage.....	14
1946	Second Reading.....	18
1946-S	Second Reading.....	18
	Amendment Offered.....	18
	Third Reading Final Passage.....	18
1995	Introduction & 1st Reading.....	1
1996	Introduction & 1st Reading.....	1
5048	Introduction & 1st Reading.....	1
5088-S	Introduction & 1st Reading.....	1
5105	Introduction & 1st Reading.....	1
5138-S	Introduction & 1st Reading.....	1
5182-S	Introduction & 1st Reading.....	1
5199-S2	Introduction & 1st Reading.....	1
5264-S	Introduction & 1st Reading.....	1
5315-S	Introduction & 1st Reading.....	1
5329-S2	Introduction & 1st Reading.....	2
5332-S	Introduction & 1st Reading.....	2
5378	Introduction & 1st Reading.....	2
5416-S	Introduction & 1st Reading.....	2
5437-S	Introduction & 1st Reading.....	2
5465	Introduction & 1st Reading.....	2
5496	Introduction & 1st Reading.....	2
5523-S	Introduction & 1st Reading.....	2
5709-S	Introduction & 1st Reading.....	2
5732-S2	Introduction & 1st Reading.....	2
5748	Introduction & 1st Reading.....	2
5753-S	Introduction & 1st Reading.....	2

Introduction & 1st Reading 2

5774-S

Introduction & 1st Reading 2

5843

Introduction & 1st Reading 3

8005

Introduction & 1st Reading 3