

SIXTY FIFTH LEGISLATURE - REGULAR SESSION**THIRTY SEVENTH DAY**

House Chamber, Olympia, Tuesday, February 13, 2018

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick 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 Devin Sawyer and Kaylee Eddy. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Jaimee Hodges, Northstar Church of God, Tumwater, Washington.

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

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

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

MOTION

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. 2515
HOUSE BILL NO. 2938

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

MESSAGES FROM THE SENATE

February 12, 2018

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5493,
SENATE BILL NO. 5539,
THIRD SUBSTITUTE SENATE BILL NO. 5576,
SECOND SUBSTITUTE SENATE BILL NO. 5970,
SUBSTITUTE SENATE BILL NO. 6142,
SUBSTITUTE SENATE BILL NO. 6251,
SUBSTITUTE SENATE BILL NO. 6309,
SENATE BILL NO. 6393,
SENATE BILL NO. 6407,
SUBSTITUTE SENATE BILL NO. 6549,

and the same are herewith transmitted.

Brad Hendrickson, Secretary

February 12, 2018

MR. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5450,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6034,
ENGROSSED SENATE BILL NO. 6140,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6187,
ENGROSSED SENATE BILL NO. 6230,

and the same are herewith transmitted.

Brad Hendrickson, Secretary

February 12, 2018

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 5020,
SUBSTITUTE SENATE BILL NO. 5408,
SUBSTITUTE SENATE BILL NO. 6013,
SUBSTITUTE SENATE BILL NO. 6102,
SUBSTITUTE SENATE BILL NO. 6147,
SUBSTITUTE SENATE BILL NO. 6222,
SECOND SUBSTITUTE SENATE BILL NO. 6236,
SUBSTITUTE SENATE BILL NO. 6273,
SECOND SUBSTITUTE SENATE BILL NO. 6274,
SENATE BILL NO. 6311,
SUBSTITUTE SENATE BILL NO. 6361,
SENATE BILL NO. 6367,
SENATE BILL NO. 6368,
SUBSTITUTE SENATE BILL NO. 6473,
SUBSTITUTE SENATE BILL NO. 6519,

and the same are herewith transmitted.

Brad Hendrickson, Secretary

February 12, 2018

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5310,

and the same are herewith transmitted.

Brad Hendrickson, Secretary

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

INTRODUCTION & FIRST READING

HB 2988 by Representatives Tharinger and DeBolt

AN ACT Relating to distribution of state forestland revenues for certain former state forestlands; and reenacting and amending RCW 79.64.110.

Referred to Committee on Capital Budget.

ESSB 5108 by Senate Committee on State Government, Tribal Relations & Elections (originally sponsored by Senators Billig, Miloscia, Hunt, Palumbo, Lias, Fain, Saldaña, Pedersen, Carlyle, Keiser, Cleveland, Mullet, Conway and Kuderer)

AN ACT Relating to contributions from political committees to other political committees; adding a new section to chapter 42.17A RCW; and creating a new section.

Referred to Committee on State Government, Elections & Information Technology.

SB 5213 by Senators Wilson and Zeiger

AN ACT Relating to the award of fees for limited license legal technicians in certain domestic violence cases; and amending RCW 26.50.060.

Referred to Committee on Judiciary.

E4SSB 5251 by Senate Committee on Ways & Means (originally sponsored by Senators Takko, Warnick, Rolfes, McCoy, Zeiger and Chase)

AN ACT Relating to tourism marketing; reenacting and amending RCW 43.84.092; adding a new section to chapter 82.08 RCW; adding a new chapter to Title 43 RCW; and creating a new section.

Referred to Committee on Appropriations.

ESSB 5307 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Darneille, Hasegawa, Kuderer and Chase)

AN ACT Relating to creating alternatives to total confinement for certain qualifying offenders with minor children; amending RCW 9.94A.030, 9.94A.655, and 9.94A.6551; and creating a new section.

Referred to Committee on Appropriations.

E2SSB 5407 by Senate Committee on Ways & Means (originally sponsored by Senators Frockt, Miloscia, Walsh, Mullet, Billig, Kuderer, Pedersen, Hasegawa, Darneille and Keiser)

AN ACT Relating to ensuring housing options; amending RCW 36.22.178; amending 2017 3rd sp.s. c 4 s 1028 (uncodified); adding a new section to chapter

59.18 RCW; adding new sections to chapter 43.31 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

ESSB 5588 by Senate Committee on Ways & Means (originally sponsored by Senators Hasegawa, Saldaña, Chase, Darneille, Schoesler, McCoy, Hobbs, Pedersen, Keiser, Hunt, Rolfes, Kuderer, Conway and Frockt)

AN ACT Relating to information concerning racial disproportionality; amending RCW 43.88C.010, 43.88A.020, and 43.88C.050; adding a new section to chapter 43.88C RCW; and creating new sections.

Referred to Committee on Appropriations.

SSB 5746 by Senate Committee on State Government, Tribal Relations & Elections (originally sponsored by Senators Kuderer and Pearson)

AN ACT Relating to the association of Washington generals; amending RCW 43.15.030; and reenacting and amending RCW 46.68.420.

Referred to Committee on Transportation.

SSB 5944 by Senate Committee on Law & Justice (originally sponsored by Senator Becker)

AN ACT Relating to negligent entrustment by rental car agencies; and amending RCW 46.20.220.

Referred to Committee on Judiciary.

SSB 6009 by Senate Committee on Transportation (originally sponsored by Senators Takko, Hobbs, Palumbo, Saldaña, Hunt, Conway, Chase and Mullet)

AN ACT Relating to personalized collector vehicle license plates; amending RCW 46.17.210, 46.18.220, and 46.18.275; and providing an effective date.

Referred to Committee on Transportation.

2SSB 6015 by Senate Committee on Ways & Means (originally sponsored by Senators Hasegawa, Rolfes, Frockt, Pedersen, Hunt, Nelson, Darneille, Miloscia, Chase, Saldaña and Kuderer)

AN ACT Relating to actions for wrongful injury or death; amending RCW 4.20.010, 4.20.020, 4.20.046, 4.20.060, and 4.24.010; and creating a new section.

Referred to Committee on Appropriations.

SB 6024 by Senators Mullet and Angel

AN ACT Relating to the disposition of certain fees collected by the department of financial institutions for the securities division; and amending RCW 21.20.340 and 43.320.110.

Referred to Committee on Appropriations.

SB 6030 by Senators Cleveland, Keiser and Saldaña

AN ACT Relating to simplifying the process for donating low-value surplus property owned by a city-owned utility; and amending RCW 35.94.040.

Referred to Committee on Local Government.

SSB 6038 by Senate Committee on Law & Justice (originally sponsored by Senators Pedersen and Padden)

AN ACT Relating to limited cooperative associations; amending RCW 23.95.105, 23.95.305, and 23.86.030; adding a new section to chapter 23.86 RCW; adding a new section to chapter 24.06 RCW; and adding a new chapter to Title 23 RCW.

Referred to Committee on Judiciary.

SB 6039 by Senators Fain and Pedersen

AN ACT Relating to the uniform unsworn declarations act; amending RCW 5.50.010, 5.50.020, 5.50.050, 5.50.900, and 5.50.901; and repealing RCW 9A.72.085.

Referred to Committee on Judiciary.

SSB 6066 by Senate Committee on Transportation (originally sponsored by Senators Lias, Warnick, Hunt and Saldaña)

AN ACT Relating to exempting tow truck operators using the telephone call functionality of a wireless communications device from traffic infractions; and amending RCW 46.61.672.

Referred to Committee on Transportation.

SB 6079 by Senators Kuderer, Takko, Ranker, Rolfes, Cleveland, Hasegawa, Palumbo, Saldaña, Wellman, Darneille, Billig, Nelson, Dhingra, McCoy, Lias, Keiser, Hunt, Conway and Chase

AN ACT Relating to exempting public employee dates of birth from public disclosure requirements; and reenacting and amending RCW 42.56.250.

Referred to Committee on State Government, Elections & Information Technology.

SB 6093 by Senators Cleveland, Rivers, Billig, Carlyle, Keiser and Hunt

AN ACT Relating to adding the Washington State University college of medicine to the family medicine residency network; and amending RCW 70.112.010 and 70.112.080.

Referred to Committee on Health Care & Wellness.

ESSB 6109 by Senate Committee on Ways & Means (originally sponsored by Senators Van De Wege and Rolfes)

AN ACT Relating to the International Wildland Urban Interface Code; amending RCW 19.27.031; adding a new section to chapter 19.27 RCW; and adding a new section to chapter 43.30 RCW.

Referred to Committee on Appropriations.

SB 6134 by Senators Wellman, Zeiger and Hasegawa

AN ACT Relating to modifying definitions for alternative learning experience courses; and amending RCW 28A.232.010.

Referred to Committee on Education.

SSB 6175 by Senate Committee on Financial Institutions & Insurance (originally sponsored by Senators Pedersen, Rivers and Mullet)

AN ACT Relating to the Washington uniform common interest ownership act; amending RCW 6.13.080; adding a new section to chapter 59.18 RCW; adding a new section to chapter 64.32 RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.38 RCW; adding a new chapter to Title 64 RCW; and providing an effective date.

Referred to Committee on Judiciary.

SB 6180 by Senators Hobbs, Schoesler, Takko and King

AN ACT Relating to defining the planting and harvest dates for purposes of exemptions for agricultural transporters; and adding a new section to chapter 46.32 RCW.

Referred to Committee on Transportation.

SB 6182 by Senators Takko and Angel

AN ACT Relating to noncollection of taxes by county treasurers; and amending RCW 84.56.250.

Referred to Committee on Local Government.

SB 6188 by Senators Dhingra, O'Ban, Wilson, Van De Wege and Kuderer

AN ACT Relating to fairness in disciplinary actions of peace officers who appear on a prosecuting attorney's

potential impeachment list; adding a new section to chapter 10.93 RCW; and creating a new section.

Referred to Committee on Labor & Workplace Standards.

SB 6190 by Senators Hunt and Kuderer

AN ACT Relating to allowing the use of a signature stamp for voting purposes; amending RCW 29A.08.230 and 29A.40.160; and reenacting and amending RCW 29A.40.110.

Referred to Committee on State Government, Elections & Information Technology.

SSB 6195 by Senate Committee on Transportation (originally sponsored by Senators Cleveland, Rivers and Wilson)

AN ACT Relating to facilitating transportation projects of statewide significance; adding new sections to chapter 47.05 RCW; and creating a new section.

Referred to Committee on Transportation.

ESSB 6199 by Senate Committee on Health & Long Term Care (originally sponsored by Senators Cleveland, Conway, Miloscia, Keiser and Fortunato)

AN ACT Relating to the consumer directed employer program; amending RCW 74.39A.030, 74.39A.051, 74.39A.056, 74.39A.060, 74.39A.086, 74.39A.090, 74.39A.095, 74.39A.155, 74.39A.210, 74.39A.240, 74.39A.250, 74.39A.261, 74.39A.270, 74.39A.275, 74.39A.300, 74.39A.310, 74.39A.351, 74.39A.360, 41.56.026, and 41.56.113; reenacting and amending RCW 74.39A.009; adding new sections to chapter 74.39A RCW; creating new sections; and repealing RCW 74.39A.220.

Referred to Committee on Appropriations.

SB 6205 by Senators Cleveland, Wilson, Takko, Rivers, Bailey, King, Short, Warnick, Honeyford and Braun

AN ACT Relating to requiring property sold in tax lien foreclosure proceedings to be sold as is; and amending RCW 84.64.080.

Referred to Committee on Judiciary.

SB 6207 by Senators Palumbo, Short and Sheldon

AN ACT Relating to clarifying the authority of port districts to offer programs relating to air quality improvement equipment and fuel programs that provide emission reductions for engines, vehicles, and vessels; amending RCW 53.08.040; and creating a new section.

Referred to Committee on Local Government.

SSB 6214 by Senate Committee on Labor & Commerce (originally sponsored by Senators Conway, Hobbs, Keiser, Van De Wege, Palumbo, Hasegawa, Rolfes, Ranker, Mullet, Saldaña, Kuderer and Wellman)

AN ACT Relating to industrial insurance coverage for posttraumatic stress disorders affecting law enforcement officers and firefighters; amending RCW 51.08.142 and 51.32.185; and adding a new section to chapter 51.08 RCW.

Referred to Committee on Appropriations.

SB 6218 by Senators King, Hobbs and Darneille

AN ACT Relating to bringing the state into compliance with the federal FAST act; and amending RCW 46.44.030.

Referred to Committee on Transportation.

SB 6231 by Senators Kuderer, Van De Wege, Conway, Wellman, Chase, Hasegawa, Saldaña and Keiser

AN ACT Relating to the statute of limitations for unfair labor practice complaints filed in superior court; and amending RCW 41.56.160, 41.59.150, 41.76.055, 41.80.120, 47.64.132, 49.39.140, and 28B.52.065.

Referred to Committee on Judiciary.

2SSB 6245 by Senate Committee on Ways & Means (originally sponsored by Senators Saldaña, Ranker, Conway, Hasegawa, McCoy, Hunt and Keiser)

AN ACT Relating to spoken language interpreter services; amending RCW 74.04.025, 39.26.100, 41.56.030, 41.56.030, 41.56.510, and 41.56.510; adding a new section to chapter 39.26 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Appropriations.

SB 6248 by Senators Wellman, Zeiger, Kuderer, Hasegawa, Mullet, Keiser, Lias and Conway

AN ACT Relating to granting of high school diplomas by community or technical colleges; and amending RCW 28B.50.535.

Referred to Committee on Education.

SB 6252 by Senators King and Keiser

AN ACT Relating to extending the validity of temporary elevator licenses; and amending RCW 70.87.250.

Referred to Committee on Labor & Workplace Standards.

SB 6287 by Senators Darneille, O'Ban, Carlyle, Zeiger and Saldaña

AN ACT Relating to making technical changes regarding the department of children, youth, and families; amending RCW 28A.655.080, 74.09.470, 43.63A.068, 43.63A.066, 43.31.571, 41.06.097, 74.12.340, 74.08A.260, 74.04.014, 70.305.020, 70.305.010, 70.198.020, 43.216.065, 43.121.100, 43.88C.050, 43.31.583, 43.31.581, 43.31.575, 43.20.275, 42.48.010, 41.04.385, 36.70A.450, 36.70.757, 35A.63.215, 35.63.185, 35.21.688, 28B.77.005, 28A.655.220, 28A.300.570, 28A.188.040, 28A.175.075, 28A.155.160, 19.02.050, 43.216.555, 43.216.370, 43.216.355, 43.216.350, 43.216.325, 43.216.315, 43.216.305, 43.216.300, 43.216.265, 43.216.045, 43.216.105, 9.94A.655, 26.44.220, 9.94A.6551, 74.13.632, 74.13.341, 28A.300.525, 74.13.020, 72.05.435, 13.34.030, 74.31.020, 74.15.038, 74.13.660, 74.13.570, 71.24.065, 43.185C.285, 43.185C.260, 28B.105.060, 28A.300.592, 26.44.125, 7.68.801, 2.70.090, 43.216.380, 43.216.165, 43.216.250, 13.34.062, 13.34.069, 74.13A.005, 74.14A.060, 13.90.010, 43.216.015, 43.06A.030, 13.50.010, 74.14B.010, 43.216.906, and 43.216.905; reenacting and amending RCW 43.216.270; providing an effective date; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

SB 6292 by Senators Wilson, Rivers and Keiser

AN ACT Relating to electronic monitoring of domestic violence perpetrators; amending RCW 9.94A.030, 7.90.010, 7.92.020, and 10.99.020; and adding a new section to chapter 2.56 RCW.

Referred to Committee on Appropriations.

SSB 6294 by Senate Committee on Local Government (originally sponsored by Senators Kuderer, Sheldon, Warnick, Walsh, Palumbo and Lias)

AN ACT Relating to exempting impact fees for low-income housing development; amending RCW 82.02.060; reenacting and amending RCW 82.02.090; providing an effective date; and declaring an emergency.

Referred to Committee on Community Development, Housing & Tribal Affairs.

SB 6298 by Senators Dhingra, Palumbo, Saldaña, Frockt, Mullet, Takko, Kuderer, Darneille, Chase, Rolfes, Cleveland, Carlyle, Wellman, Hasegawa, Ranker, Keiser, Billig, Nelson, McCoy, Lias, Van De Wege, Pedersen, Hunt and Conway

AN ACT Relating to adding domestic violence harassment to the list of offenses for which a person is prohibited from possessing a firearm; and amending RCW 9.41.040.

Referred to Committee on Judiciary.

SB 6321 by Senators Rivers, Takko and Palumbo

AN ACT Relating to specifying that fire protection districts and regional fire protection service authorities are taxing districts for the purpose of distributing public utility revenues; and amending RCW 54.28.010, 54.28.055, and 54.28.090.

Referred to Committee on Finance.

SSB 6330 by Senate Committee on Transportation (originally sponsored by Senators Hobbs and King)

AN ACT Relating to medical certificate requirements for applicants and holders of commercial drivers' licenses and commercial learners' permits; amending RCW 46.25.055, 46.25.057, and 46.25.075; reenacting and amending RCW 46.25.010; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

SSB 6347 by Senate Committee on Ways & Means (originally sponsored by Senators Wagoner, Fortunato, Honeyford, Palumbo, Mullet and Rivers)

AN ACT Relating to expanding the property tax exemption for new and rehabilitated multiple-unit dwellings in urban centers; amending RCW 84.14.010; and creating a new section.

Referred to Committee on Finance.

E3SSB 6353 by Senate Committee on Transportation (originally sponsored by Senators Hunt, Billig, Kuderer, Saldaña, Conway, Carlyle, Hasegawa, Dhingra, McCoy, Nelson, Mullet, Lias, Rolfes, Hobbs, Keiser, Cleveland, Chase, Darneille, Frockt, Palumbo, Van De Wege, Ranker, Wellman, Takko and Pedersen)

AN ACT Relating to increasing opportunities for citizens to participate in elections by streamlining procedures in order to automatically register citizens to vote; amending RCW 29A.08.350, 29A.08.410, 29A.08.420, 29A.08.720, 29A.08.110, and 29A.08.710; adding new sections to chapter 29A.08

RCW; adding a new section to chapter 46.20 RCW; adding new sections to chapter 29A.04 RCW; adding a new section to chapter 29A.84 RCW; creating new sections; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on State Government, Elections & Information Technology.

SB 6371 by Senator Mullet

AN ACT Relating to facilities financing by the housing finance commission; and amending RCW 43.180.160 and 43.180.300.

Referred to Committee on Capital Budget.

SSB 6399 by Senate Committee on Health & Long Term Care (originally sponsored by Senators Becker, Cleveland, Rivers, Brown, Bailey, Fain, Kuderer and Van De Wege)

AN ACT Relating to telemedicine payment parity; and creating new sections.

Referred to Committee on Health Care & Wellness.

ESSB 6413 by Senate Committee on Energy, Environment & Technology (originally sponsored by Senators Van De Wege, Wellman, Palumbo, Billig, Hunt, Kuderer, Saldaña and Chase)

AN ACT Relating to reducing the use of certain toxic chemicals in firefighting activities; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Environment.

ESSB 6434 by Senate Committee on Transportation (originally sponsored by Senators Rolfes, Rivers, Nelson, Brown and Saldaña)

AN ACT Relating to electric-assisted bicycles; amending RCW 46.04.169, 46.04.071, 46.20.500, and 46.61.710; and adding a new section to chapter 46.37 RCW.

Referred to Committee on Transportation.

SSB 6437 by Senate Committee on Transportation (originally sponsored by Senator King)

AN ACT Relating to the disposal of recreational vehicles abandoned on public property; amending RCW 46.79.110 and 46.80.020; reenacting and amending RCW 43.84.092; adding a new section to chapter 46.55 RCW; adding a new section to chapter 46.17 RCW; adding a new section to chapter 46.68 RCW; adding a new chapter to Title 46 RCW; creating new sections; and providing an effective date.

Referred to Committee on Transportation.

SSB 6452 by Senate Committee on Ways & Means (originally sponsored by Senators Brown, Frockt, Carlyle, O'Ban, Walsh, Darneille, Miloscia, Kuderer and Saldaña)

AN ACT Relating to expanding the activities of the children's mental health services consultation program; and amending RCW 71.24.061.

Referred to Committee on Appropriations.

SSB 6475 by Senate Committee on Transportation (originally sponsored by Senators Hobbs, Palumbo, King, Wagoner, McCoy and Liias)

AN ACT Relating to regional transit authority property taxes imposed on less than a whole parcel; amending RCW 81.104.175; and declaring an emergency.

Referred to Committee on Transportation.

SSB 6544 by Senate Committee on Ways & Means (originally sponsored by Senators Chase, Brown, Hasegawa, Wagoner, Wellman, Takko and Conway)

AN ACT Relating to establishing the future of work task force; adding a new chapter to Title 28C RCW; creating new sections; and providing expiration dates.

Referred to Committee on Appropriations.

SSB 6560 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Darneille, Billig, Frockt, Hunt, Kuderer, Palumbo and Wellman)

AN ACT Relating to ensuring that no youth is discharged from a public system of care into homelessness; and creating a new section.

Referred to Committee on Early Learning & Human Services.

SSB 6566 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Dhingra, Chase, Cleveland, Darneille, Saldaña and Kuderer)

AN ACT Relating to juvenile offenses; amending RCW 9.68A.050, 9.68A.060, 9.68A.070, 9.68A.075, 13.40.070, and 9.94A.030; adding a new section to chapter 13.40 RCW; adding a new section to chapter 9.68A RCW; adding a new section to chapter 9A.86 RCW; prescribing penalties; and providing an expiration date.

Referred to Committee on Early Learning & Human Services.

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

SECOND READING

HOUSE BILL NO. 1325, by Representatives Tharinger, Tarleton and Jinkins

Concerning the evaluation and prioritization of capital budget projects at the public two-year and four-year institutions of higher education.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1325 was substituted for House Bill No. 1325 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1325 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 Tharinger, Steele and Dye spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1325.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1325, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SECOND SUBSTITUTE HOUSE BILL NO. 1325, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2809, by Representatives Tharinger, Doglio, Peterson, McBride and Van Werven

Concerning efficiency updates for capital budget appropriations allocated for public art.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2809 was substituted for House Bill No. 2809 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2809 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 Tharinger, Van Werven and Eslick spoke in favor of the passage of the bill.

Representatives Barkis and Haler spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2809.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2809, and the bill passed the House by the following vote: Yeas, 73; Nays, 25; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Eslick, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hargrove, Harmsworth, Harris, Hayes, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kretz, Lovick, Lytton, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Van Werven, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, Dye, Graves, Griffey, Haler, Holy, Jenkin, Kraft, Kristiansen, MacEwen, McCaslin, Nealey, Orcutt, Schmick, Shea, Stokesbary, Taylor, Vick, Volz, Walsh and Young.

SUBSTITUTE HOUSE BILL NO. 2809, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2015, by Representatives Pettigrew, Stokesbary, Nealey, Springer, Macri and Pollet

Modifying the lodging excise tax to remove the exemption for premises with fewer than sixty lodging

units and to tax certain vacation rentals, short-term home-sharing arrangements, and other compensated use or occupancy of dwellings.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2015 was substituted for House Bill No. 2015 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2015 was read the second time.

Representative Frame moved the adoption of amendment (1016).

On page 7, beginning on line 5, after "subsection" strike all material through "operator" on line 9 and insert "imposes any tax specifically on the act of engaging in the business of being a short-term rental operator"

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

Representative Nealey spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 49 - YEAS; 49 - NAYS.

Amendment (1016) was not adopted.

There being no objection, the House deferred action on. SECOND SUBSTITUTE HOUSE BILL NO. 2015, and the bill held its place on the second reading calendar.

HOUSE BILL NO. 1332, by Representatives Fey, Stambaugh and Jinkins

Concerning dangerous objects on county roads and bridges.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1332 was substituted for House Bill No. 1332 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1332 was read the second time.

Representative Stambaugh moved the adoption of amendment (916).

On page 1, line 8, after "any" strike "structure" and insert "object"

On page 1, line 12, after "the" strike "structure" and insert "object"

On page 1, line 14, after "such" strike "structure" and insert "object"

Representatives Stambaugh and Fey spoke in favor of the adoption of the amendment.

Amendment (916) 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 Fey and Stambaugh spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 1332.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1332, and the bill passed the House by the following vote: Yeas, 62; Nays, 36; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Eslick, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Haler, Hansen, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Lovick, Lytton, McBride, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, Dent, Dye, Graves, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Kraft, Kretz, Kristiansen, MacEwen, Macri, Manweller, Maycumber, McCabe, McCaslin, Nealey, Pike, Rodne, Schmick, Shea, Smith, Taylor, Van Werven, Vick, Volz, Walsh and Young.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1332, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2317, by Representatives Appleton, Muri, Fey, Fitzgibbon, Tarleton, Griffey and Young

Concerning contractor bonding requirements for public transportation benefit areas and passenger-only ferry service districts.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2317 was substituted for House Bill No. 2317 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2317 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 Appleton spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2317.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2317, and the bill passed the House by the following vote: Yeas, 53; Nays, 45; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Hansen, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, MacEwen, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Klippert, Kraft, Kretz, Kristiansen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

SUBSTITUTE HOUSE BILL NO. 2317, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2808, by Representatives Kirby and Walsh

Concerning vehicle dealer licensing.

The bill was read the second time.

Representative Kirby moved the adoption of amendment (996).

On page 2, after line 8, insert the following:

"NEW SECTION. Sec. 4. This act takes effect July 1, 2018."

Correct the title.

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

Amendment (996) 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 Kirby and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2808.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2808, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Buys and Taylor.

ENGROSSED HOUSE BILL NO. 2808, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2948, by Representatives Graves, Sullivan, Haler, Hargrove, Pike and Senn

Concerning the responsibilities for state routes in cities or towns.

The bill was read the second time.

Representative Graves moved the adoption of amendment (868).

On page 2, line 15, after "(6)" strike "The" and insert "Except as otherwise provided in subsection (17) of this section, the"

On page 2, line 19, after "of" strike "~~((twenty))~~ thirty-five thousand" and insert "twenty-~~((five))~~seven thousand five hundred"

On page 2, line 25, after "exceeds" strike "~~((twenty))~~ thirty-five thousand" and insert "twenty-~~((five))~~seven thousand five hundred"

On page 3, line 35, after "(13)" strike "The" and insert "Except as otherwise provided in subsection (17) of this section, the"

On page 3, beginning on line 39, after "of" strike "~~((twenty))~~ thirty-five thousand" and insert "twenty-~~((five))~~seven thousand five hundred"

On page 4, line 8, after "of" strike "~~((twenty))~~ thirty-five thousand" and insert "twenty-~~((five))~~seven thousand five hundred"

On page 4, beginning on line 13, after "exceeds" strike "~~((twenty))~~ thirty-five thousand" and insert "twenty-~~((five))~~seven thousand five hundred"

On page 5, after line 6, insert the following:

"(17) The population thresholds identified in subsections (6) and (13) of this section shall be increased as follows:

- (a) Thirty thousand on July 1, 2023;
- (b) Thirty-two thousand five hundred on July 1, 2028; and
- (c) Thirty-five thousand on July 1, 2033."

Representatives Graves and Clibborn spoke in favor of the adoption of the amendment.

Amendment (868) 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 Graves and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2948.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2948, and the bill passed the House by the following vote: Yeas, 86; Nays, 12; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Van Werven, Vick, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Eslick, Hayes, Holy, Kristiansen, McCaslin, Orcutt, Shea, Taylor, Volz and Young.

ENGROSSED HOUSE BILL NO. 2948, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2430, by Representative Hudgins

Eliminating the joint legislative oversight committee on trade policy.

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 Hudgins, Stokesbary and Harmsworth spoke in favor of the passage of the bill.

Representative Kraft spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2430.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2430, and the bill passed the House by the following vote: Yeas, 93; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan,

Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Harris, Kraft, Kretz, Sawyer and Stanford.

HOUSE BILL NO. 2430, having received the necessary constitutional majority, was declared passed.

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

MOTION

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. 2509
HOUSE BILL NO. 2750

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

MOTION

There being no objection, the Committee on Finance was relieved of HOUSE BILL NO. 2653, and the bill was referred to the Committee on Rules.

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

SECOND READING

HOUSE BILL NO. 2572, by Representatives Cody, Macri, Jinkins, Kagi, Wylie, Slatter, Tharinger, Ormsby and Robinson

Removing health coverage barriers to accessing substance use disorder treatment services.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2572 was substituted for House Bill No. 2572 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2572 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 Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2572.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2572, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Calder, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SECOND SUBSTITUTE HOUSE BILL NO. 2572, having received the necessary constitutional majority, was declared passed.

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

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1340, by House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Harris, Jinkins, Johnson, Robinson and Tharinger)

Modernizing substance use disorder professional practice.

There being no objection, the rules were suspended, and ENGROSSED SUBSTITUTE HOUSE BILL NO. 1340 was returned to second reading for the purpose of amendment.

SECOND READING

Representative Cody moved the adoption of amendment (810):

On page 2, line 9, after "deceased" insert ". However, a defendant's

liability is several only and not joint under RCW 4.22.070(1)(a) or (b) if the parent or sibling is not dependent upon the deceased person for support"

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

"(4) A defendant's liability is several only and not joint under RCW 4.22.070(1)(a) or (b) if the decedent's parent or sibling is not dependent upon the decedent for support."

On page 4, after line 21, insert the following:

"(3) A defendant's liability is several only and not joint under RCW 4.22.070(1)(a) or (b) if the decedent's parent or legal guardian is not dependent upon the decedent for support."

Renumber the remaining subsections consecutively and correct internal references accordingly.

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

Amendment (810) was adopted.

The bill was ordered engrossed.

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

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

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Engrossed Substitute House Bill No. 1340.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute House Bill No. 1340, and the bill passed the House by the following vote: Yeas, 66; Nays, 32; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Harris, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, Dye, Griffey, Haler, Hargrove, Harmsworth, Hayes, Holy, Jenkin, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Maycumber, McCaslin, Nealey, Orcutt, Pike, Schmick, Shea, Smith, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 1340, having received the necessary constitutional majority, was declared passed.

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

SECOND READING

HOUSE BILL NO. 2611, by Representatives Barkis, Walsh, Irwin, Klippert, Hayes, Maycumber, Lovick, Stambaugh, Griffey, Wilcox, Steele and Young

Concerning the privilege for peer support group counselors.

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 Barkis, Kilduff and Maycumber spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2611.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2611, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 2611, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2786, by Representatives Kilduff and Muri

Concerning membership in the law enforcement officers' and firefighters' retirement system plan 2 for firefighters employed by the department of corrections or the department of social and health services and serving at a prison or civil commitment center located on an island.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2786 was substituted for House Bill No. 2786 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2786 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 Kilduff, Hayes and Holy spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2786.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2786, and the bill passed the House by the following vote: Yeas, 94; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Van Werven, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Harris, Taylor and Vick.

SUBSTITUTE HOUSE BILL NO. 2786, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2313, by Representatives Cody, Schmick, Caldier, Appleton, Pollet and Dolan

Providing the chiropractic quality assurance commission with additional authority over budget development, spending, and staffing.

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 Cody, Schmick, Eslick, Steele, Barkis and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2313.

ROLL CALL

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

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

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

HOUSE BILL NO. 2671, by Representatives Wilcox, Jinkins, Dye, Orwall, Schmick, Cody, DeBolt, Walsh, Maycumber, Griffey, Barkis, Haler, Buys, Muri, Condotta, Robinson, Doglio, Macri, Stanford and Irwin

Improving the behavioral health of people in the agricultural industry.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2671 was substituted for House Bill No. 2671 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2671 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 Wilcox, Cody, Schmick, Pike, Dent, Maycumber, Griffey, Dye and Graves spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2671.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2671, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SECOND SUBSTITUTE HOUSE BILL NO. 2671, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2610, by Representatives Peterson, Bergquist, Pollet, Gregerson, Appleton, Valdez, Ryu, Jinkins, Macri, Tarleton, Hudgins, McBride, Doglio, Stonier, Fey, Goodman, Santos, Frame and Stanford

Creating the hunger-free students' bill of rights act.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2610 was substituted for House Bill No. 2610 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2610 was read the second time.

Representative Harris moved the adoption of amendment (1043):

On page 3, line 6, after "student" insert "under the age of fifteen"

On page 3, line 8, after "(b)" strike "Publicly identify or stigmatize" and insert "Stigmatize"

On page 3, line 9, after "likely" strike "publicly identify or"

On page 3, line 29, after "served to" strike "the student" and insert "a student under the age of fifteen"

Representatives Harris and Santos spoke in favor of the adoption of the amendment.

Amendment (1043) was adopted.

Representative Harris moved the adoption of amendment (1042):

On page 3, beginning on line 25, after "costs" strike all material through "collect" on line 26 and insert "in excess of the actual"

Representatives Harris and Santos spoke in favor of the adoption of the amendment.

Amendment (1042) 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 Peterson and Harris spoke in favor of the passage of the bill.

Representative Steele spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2610.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2610, and the bill passed the House by the following vote: Yeas, 59; Nays, 39; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Harmsworth, Harris, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, Maycumber, McBride, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Griffey, Haler, Hargrove, Hayes, Holy, Irwin, Jenkin, Klippert,

Kraft, Kretz, Kristiansen, MacEwen, Manweller, McCabe, McCaslin, McDonald, Nealey, Orcutt, Pike, Schmick, Shea, Smith, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Wilcox and Young.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2610, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2817, by Representatives Frame, Irwin, Sells, Appleton, Pollet and Stanford

Limiting overtime for correctional officers. Revised for 1st Substitute: Concerning overtime for correctional officers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2817 was substituted for House Bill No. 2817 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2817 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 Frame, McCabe, Irwin and Pike spoke in favor of the passage of the bill.

Representative Hayes spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2817.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2817, and the bill passed the House by the following vote: Yeas, 80; Nays, 18; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Eslick, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Holy, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Shea, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Van Werven, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dent, Dye, Graves, Hayes, Jenkin, Klippert, Kraft, Kretz,

Kristiansen, Maycumber, Nealey, Rodne, Schmick, Smith, Taylor and Vick.

SUBSTITUTE HOUSE BILL NO. 2817, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2444, by Representatives Slatter, Robinson, McBride, Clibborn, Appleton, Tharinger, Kloba, Doglio and Tarleton

Providing a real estate excise tax exemption for certain transfers of low-income housing.

The bill was read the second time.

Representative Slatter moved the adoption of amendment (853):

On page 5, line 12, after "seller" insert "or, in the case of a transfer of a controlling interest, the owner or beneficial owner,"

Representatives Slatter and Nealey spoke in favor of the adoption of the amendment.

Amendment (853) 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 Slatter and Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2444.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2444, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton,

Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 2444, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2509, by Representatives Hayes, Smith and Johnson

Concerning mandatory reporting of child abuse and neglect.

The bill was read the second time.

Representative Hayes moved the adoption of amendment (715):

On page 1, line 7, after (1) insert "(a)"

On page 1, line 9, after "make, or" insert "knowingly"

On page 1, line 9, after "such report," strike all material through "report" on line 10

On page 1, line 11, after "a" strike "(gross)"

On page 1, after line 11, insert the following:

"(b) Any person who knowingly obstructs the duty of a mandatory

reporter to make a report pursuant to RCW 26.44.030 and 26.44.040 shall be guilty of a gross misdemeanor."

On page 1, line 12, after "(2)" strike "Every" and insert "A class 1 civil infraction may be issued pursuant to chapter 7.80 RCW to any"

On page 1, beginning on line 14, after "negligence," strike "shall be guilty of an infraction"

On page 1, beginning on line 17, after "7.80 RCW" strike all material through "fifty dollars"

Representatives Hayes and Senn spoke in favor of the adoption of the amendment.

Amendment (715) 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 Hayes and Senn spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2509.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2509, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 2509, having received the necessary constitutional majority, was declared passed.

The House resumed consideration of SECOND SUBSTITUTE HOUSE BILL NO. 2015 on second reading.

SECOND SUBSTITUTE HOUSE BILL NO. 2015, by House Committee on Finance (originally sponsored by Representatives Pettigrew, Stokesbary, Nealey, Springer, Macri and Pollet)

Modifying the lodging excise tax to remove the exemption for premises with fewer than sixty lodging units and to tax certain vacation rentals, short-term home-sharing arrangements, and other compensated use or occupancy of dwellings.

The bill was read the third time.

Representatives Pettigrew and Macri spoke in favor of the passage of the bill.

Representatives Steele, Maycumber and Condotta spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2015.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2015, and the bill passed the

House by the following vote: Yeas, 56; Nays, 42; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, McCabe, Morris, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCaslin, McDonald, Muri, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Steele, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

SECOND SUBSTITUTE HOUSE BILL NO. 2015, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1656, by Representatives Dent, Gregerson, Hargrove, Tarleton, Klippert and Clibborn

Establishing a community aviation revitalization loan program. Revised for 1st Substitute: Concerning a community aviation revitalization loan program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1656 was substituted for House Bill No. 1656 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1656 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 Dent, Clibborn and Pike spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1656.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1656, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth,

Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1656, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2928, by Representative Lytton

Reauthorizing the business and occupation tax deduction for cooperative finance organizations.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2928 was substituted for House Bill No. 2928 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2928 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 Nealey spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2928.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2928, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton,

Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 2928, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2445, by Representatives Macri, Graves, Robinson and Riccelli

Concerning online access to health care resources via HEALWA.

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 Macri, Graves and Buys spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2445.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2445, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 2445, having received the necessary constitutional majority, was declared passed.

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

MOTION

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. 1469
HOUSE BILL NO. 1789

HOUSE BILL NO. 2561
HOUSE BILL NO. 2633
HOUSE BILL NO. 2696
HOUSE BILL NO. 2701
HOUSE BILL NO. 2718
HOUSE BILL NO. 2974
HOUSE BILL NO. 2983

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

SECOND READING

HOUSE BILL NO. 2777, by Representative Jinkins

Improving and updating administrative provisions related to the board of tax appeals.

The bill was read the second time.

Representative Jinkins moved the adoption of amendment (1028):

On page 8, after line 17, insert the following:

"**Sec. 18.** RCW 34.05.518 and 2010 c 211 s 15 are each amended to read as follows:

(1) The final decision of an administrative agency in an adjudicative proceeding under this chapter may ~~((~~7~~ except as otherwise provided in chapter 43.211 RCW))~~ be directly reviewed by the court of appeals ~~((either))~~:

(a) Upon certification by the superior court pursuant to this section ~~((or))~~;

(b) If the final decision is from an environmental board as defined in subsection ~~((3))~~ (4) of this section, upon acceptance by the court of appeals after a certificate of appealability has been filed by the environmental board that rendered the final decision; or

(c) If the final decision is from the board of tax appeals, upon acceptance by the court of appeals after a certificate of appealability has been filed by the board of tax appeals.

(2) For direct review upon certification by the superior court, an application for direct review must be filed with the superior court within thirty days of the filing of the petition for review in superior court. The superior court may certify a case for direct review only if the judicial review is limited to the record of the agency proceeding and the court finds that:

(a) Fundamental and urgent issues affecting the future administrative process or the public interest are involved which require a prompt determination;

(b) Delay in obtaining a final and prompt determination of such issues would be detrimental to any party or the public interest;

(c) An appeal to the court of appeals would be likely regardless of the determination in superior court; and

(d) The appellate court's determination in the proceeding would have significant precedential value.

(3) Procedures for certification ~~((shall))~~ under this section must be established by court rule.

~~((3))~~ (4) (a) For the purposes of direct review of final decisions of environmental boards, environmental boards include those boards identified in RCW 43.21B.005 and the growth management hearings board as identified in RCW 36.70A.250.

(b) An environmental board may issue a certificate of appealability if it finds that delay in obtaining a final and prompt determination of the issues would be detrimental to any party or the public interest and either:

(i) Fundamental and urgent statewide or regional issues are raised; or

(ii) The proceeding is likely to have significant precedential value.

~~((4))~~ (5) The environmental board ~~((shall))~~ must state in the certificate of appealability which criteria it applied, explain how that criteria was met, and file with the certificate a copy of the final decision.

~~((5))~~ (6) For purposes of direct review of final decisions of the board of tax appeals, the board of tax appeals must issue a certificate of appealability, unless it finds that:

(a) The proceeding is unlikely to have significant precedential value; or

(b) Direct review by the court of appeals would be detrimental to any party or the public interest.

(7) If the board of tax appeals denies a request for a certificate of appealability, it must state in its denial which criteria it applied and

explain how that criteria supported its decision to deny the request.

(8) For an appellate court to accept direct review of a final decision of an environmental board, it ~~((shall))~~ must consider the same criteria outlined in subsection ~~((3))~~ (4) of this section ~~((7 except as otherwise provided in chapter 43.21B RCW))~~.

~~((6))~~ (9) For an appellate court to accept direct review of a final decision of the board of tax appeals, it must consider the same criteria outlined in subsection (6) of this section.

(10) The procedures for direct review of final decisions of environmental boards or the board of tax appeals include:

(a) Within thirty days after filing the petition for review with the superior court, a party may file an application for direct review with the superior court and serve the board of tax appeals or the appropriate environmental board and all parties of record. The application ~~((shall))~~ must request the board of tax appeals or the environmental board to file a certificate of appealability.

(b) If an issue on review is the jurisdiction of the environmental board or the board of tax appeals, the board with jurisdiction may file an application for direct review on that issue.

(c) The environmental board ~~((shall have))~~ or the board of tax appeals has thirty days to grant or deny the request for a certificate of appealability and its decision ~~((shall))~~ must be filed with the superior court and served on all parties of record.

(d) If a certificate of appealability is issued, the parties ~~((shall))~~ have fifteen days from the date of service to file a notice of discretionary review in the superior court, and the notice ~~((shall))~~ must include a copy of the certificate of appealability and a copy of the final decision.

(e) If the appellate court accepts review, the certificate of appealability ~~((shall))~~ must be transmitted to the court of appeals as part of the certified record.

(f) If a certificate of appealability is denied, review ~~((shall))~~ must be by the superior court. The superior court's decision may be appealed to the court of appeals.

Sec. 19. RCW 34.05.522 and 1995 c 382 s 6 are each amended to read as follows:

The court of appeals may refuse to accept direct review of a case pursuant to RCW 34.05.518 if it finds that the case does not meet the applicable standard in RCW 34.05.518 (2) (~~(or (5))~~), (4), or (6). Rules of Appellate Procedure 2.3 do not apply in this instance. The refusal to accept such review is not subject to further appellate review, notwithstanding anything in Rule 13.3 of the Rules of Appellate Procedure to the contrary.

NEW SECTION. Sec. 20. A new section is added to chapter 82.03 RCW to read as follows: (1) The board, by its order, may direct the department of revenue to hold in abeyance the collection of tax from any taxpayer or any group of taxpayers when a question bearing on their liability for tax hereunder is pending before the board. The board may impose such conditions as may be deemed just and equitable and shall require the payment of interest at the rate of three-quarters of one percent of the amount of the tax for each thirty days or portion thereof from the date upon which such tax became due until the date of payment.

(2) Interest imposed under this section shall be computed on a daily basis at the rate as computed under RCW 82.32.050(2). The rate so computed shall be adjusted on the first day of January of each year.

(3) The department of revenue must not impose a late payment penalty if the taxpayer pays the assessment within thirty days of:

(a) the denial of a stay of collections by the board; or

(b) the expiration of an order staying the collection of such assessment.

NEW SECTION. Sec. 21. A new section is added to chapter 82.03 RCW to read as follows: (1) When any assessment or additional assessment has been made, the taxpayer may obtain a stay of collection, under such circumstances and for such periods as the board may by general regulation provide, of the whole or any part thereof, by filing with the board a bond in an amount, not exceeding twice the amount on which stay is desired, and with sureties as the department deems necessary, conditioned for the payment of the amount of the assessments, collection of which is stayed by the bond, together

with the interest thereon at the rate of one percent of the amount of such assessment for each thirty days or portion thereof from the date the bond is filed until the date of payment.

(2) Interest imposed under this section shall be computed on a daily basis on the amount of tax at the rate as computed under RCW 82.32.050(2). The rate so computed shall be adjusted on the first day of January of each year.

NEW SECTION. Sec. 22. A new section is added to chapter 82.03 RCW to read as follows:

(1) Except as otherwise specifically provided by statute, the board must award a qualified party that prevails in a formal hearing fees and other expenses, including reasonable attorneys' fees, unless the court finds that the department of revenue's or the board of equalization's action was substantially justified or that circumstances make an award unjust. A qualified party shall be considered to have prevailed if the qualified party obtained relief on a significant issue that achieves some benefit that the qualified party sought.

(2) The amount awarded a qualified party under subsection (1) of this section shall not exceed twenty-five thousand dollars. The board, in its discretion, may reduce the amount to be awarded pursuant to subsection (1) of this section, or deny any award, to the extent that a qualified party during the course of the proceedings engaged in conduct that unduly or unreasonably protracted the final resolution of the matter in controversy.

(3) Fees and other expenses awarded under this section must be paid by the board over which the party prevails from operating funds appropriated to the agency within sixty days. The board shall report all payments to the office of financial management within five days of paying the fees and other expenses. Fees and other expenses awarded by the board shall be subject to the provisions of chapter 39.76 RCW and shall be deemed payable on the date the board announces the award.

(4) The following definitions apply to this section unless the context clearly indicates otherwise.

(a) "Fees and other expenses" includes the reasonable expenses of expert witnesses, the reasonable cost of a

study, analysis, engineering report, test, or project that is found by the court to be necessary for the preparation of the party's case, and reasonable attorneys' fees. Reasonable attorneys' fees shall be based on the prevailing market rates for the kind and quality of services furnished, except that (a) no expert witness shall be compensated at a rate in excess of the highest rates of compensation for expert witnesses paid by the state of Washington, and (b) attorneys' fees shall not be awarded in excess of one hundred fifty dollars per hour unless the court determines that an increase in the cost of living or a special factor, such as the limited availability of qualified attorneys for the proceedings involved, justifies a higher fee.

(b) "Qualified party" means (a) an individual whose net worth did not exceed one million dollars at the time the initial appeal petition was filed or (b) a sole owner of an unincorporated business, or a partnership, corporation, association, or organization whose net worth did not exceed five million dollars at the time the initial appeal petition was filed, except that an organization described in section 501(c)(3) of the federal internal revenue code of 1954 as exempt from taxation under section 501(a) of the code and a cooperative association as defined in section 15(a) of the agricultural marketing act (12 U.S.C. 1141J(a)), may be a party regardless of the net worth of such organization or cooperative association."

Correct any internal references accordingly.

Correct the title.

Representatives Jinkins and Stokesbary spoke in favor of the adoption of the amendment.

Amendment (1028) 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 Jinkins and Stokesbary spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2777.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2777, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 2777, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2439, by Representatives Kirby, Vick, Barkis, Stanford, Ryu and Haler

Clarifying the relationship between manufacturers and new motor vehicle dealers by providing tools to resolve disparities including expanding compensation for recalled vehicles.

The bill was read the second time.

Representative Kirby moved the adoption of amendment (798):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 46.96 RCW to read as follows:

(1) A manufacturer shall compensate its new motor vehicle dealers for all labor and parts required by the manufacturer to perform recall repairs at rates no lower than those set in accordance with RCW 46.96.105. If parts or a remedy are not reasonably available to perform a recall service or repair on a used vehicle held for sale by a dealer authorized to sell new vehicles of the same line make within fifteen days of the manufacturer issuing the initial notice of recall, and the manufacturer has issued a stop-sale, do-not-drive order, or where the issue identified in the notice of recall could otherwise affect

the safe operation of the vehicle, commencing on the fifteenth day after the notice or order was issued and ending on the earlier of the date that the remedy or repair parts necessary to resolve the recall, stop-sale, or do-not-drive order are available to the dealer for vehicles in the dealer's inventory or the dealer sells, trades, or otherwise disposes of the vehicle, the manufacturer shall compensate the dealer at a prorated rate of at least 1.75 percent of the average trade-in value as indicated in an independent third-party guide for the year, make, model, and mileage of the recalled vehicle, per month, or portion of a month, while the recall or remedy parts are unavailable and the order remains in effect. A manufacturer is not required to compensate a motor vehicle dealer for more than the total trade-in value of the vehicle as established under this section. A stop-sale or do-not-drive order is defined as a notification issued by a vehicle manufacturer to its franchised dealers stating that certain used vehicles in inventory should not be sold or leased, at retail or wholesale, due to a federal safety recall for a defect or a noncompliance, or a federal or California emissions recall.

(2) This section applies only to used vehicles subject to safety or emissions recalls pursuant to and recalled in accordance with federal law and regulations adopted thereunder and where a stop-sale, do-not-drive order has been issued, or where the issue identified in the notice of recall could otherwise affect the safe operation of the vehicle. This section further applies only to new motor vehicle dealers holding used vehicles for sale that are a line make that the dealer is franchised to sell or on which the dealer is authorized to perform recall repairs.

(3) All reimbursement claims made by new motor vehicle dealers pursuant to this section for recall remedies or repairs, or for compensation where no part or repair is reasonably available and the vehicle is subject to a stop-sale, do-not-drive, or where the issue identified in the notice of recall could otherwise affect the safe operation of the vehicle, is subject to the same limitations and requirements as a warranty reimbursement claim made under RCW 46.96.105. Claims shall be either approved or disapproved within thirty days after they are submitted to the manufacturer in the manner and on the

forms the manufacturer reasonably prescribes. A manufacturer shall pay a claim within thirty days following approval. Any claim not specifically disapproved in writing within thirty days following receipt is approved.

(4) A manufacturer may compensate its franchised dealers under a national recall compensation program provided the compensation under the program is equal to or greater than that provided in subsection (1) of this section.

(5) A manufacturer may not otherwise recover all or any portion of its costs for compensating its dealers licensed in this state for recalled vehicles, parts, and service either by reduction in the amount due to the dealer or by separate charge, surcharge, or other imposition.

(6) Any remedy provided to a new motor vehicle dealer under this section is exclusive and may not be combined with any other state or federal recall compensation remedy.

Sec. 2. RCW 46.96.185 and 2014 c 214 s 7 are each amended to read as follows:

(1) Notwithstanding the terms of a franchise agreement, a manufacturer, distributor, factory branch, or factory representative, or an agent, officer, parent company, wholly or partially owned subsidiary, affiliated entity, or other person controlled by or under common control with a manufacturer, distributor, factory branch, or factory representative, shall not:

(a) Discriminate between new motor vehicle dealers by selling or offering to sell a like vehicle to one dealer at a lower actual price than the actual price offered to another dealer for the same model similarly equipped;

(b) Discriminate between new motor vehicle dealers by selling or offering to sell parts or accessories to one dealer at a lower actual price than the actual price offered to another dealer;

(c) Discriminate between new motor vehicle dealers by using a promotion plan, marketing plan, or other similar device that results in a lower actual price on vehicles, parts, or accessories being charged to one dealer over another dealer;

(d) Discriminate between new motor vehicle dealers by adopting a method, or changing an existing method, for the allocation, scheduling, or delivery of

new motor vehicles, parts, or accessories to its dealers that is not fair, reasonable, and equitable. Upon the request of a dealer, a manufacturer, distributor, factory branch, or factory representative shall disclose in writing to the dealer the method by which new motor vehicles, parts, and accessories are allocated, scheduled, or delivered to its dealers handling the same line or make of vehicles;

(e) Discriminate against a new motor vehicle dealer by preventing, offsetting, or otherwise impairing the dealer's right to request a documentary service fee on affinity or similar program purchases. This prohibition applies to, but is not limited to, any promotion plan, marketing plan, manufacturer or dealer employee or employee friends or family purchase programs, or similar plans or programs;

(f) Give preferential treatment to some new motor vehicle dealers over others by refusing or failing to deliver, in reasonable quantities and within a reasonable time after receipt of an order, to a dealer holding a franchise for a line or make of motor vehicles sold or distributed by the manufacturer, distributor, factory branch, or factory representative, a new vehicle, parts, or accessories, if the vehicle, parts, or accessories are being delivered to other dealers, or require a dealer to purchase unreasonable advertising displays or other materials, or unreasonably require a dealer to remodel or renovate existing facilities as a prerequisite to receiving a model or series of vehicles;

(g) Compete with a new motor vehicle dealer of any make or line by acting in the capacity of a new motor vehicle dealer, or by owning, operating, or controlling, whether directly or indirectly, a motor vehicle dealership in this state. It is not, however, a violation of this subsection for:

(i) A manufacturer, distributor, factory branch, or factory representative to own or operate a dealership for a temporary period, not to exceed two years, during the transition from one owner of the dealership to another where the dealership was previously owned by a franchised dealer and is currently for sale to any qualified independent person at a fair and reasonable price. The temporary operation may be extended for one twelve-month period on petition of the temporary

operator to the department. The matter will be handled as an adjudicative proceeding under chapter 34.05 RCW. A dealer who is a franchisee of the petitioning manufacturer or distributor may intervene and participate in a proceeding under this subsection (1)(g)(i). The temporary operator has the burden of proof to show justification for the extension and a good faith effort to sell the dealership to an independent person at a fair and reasonable price;

(ii) A manufacturer, distributor, factory branch, or factory representative to own or operate a dealership in conjunction with an independent person in a bona fide business relationship for the purpose of broadening the diversity of its dealer body and enhancing opportunities for qualified persons who are part of a group who have historically been underrepresented in its dealer body, or other qualified persons who lack the resources to purchase a dealership outright, and where the independent person: (A) Has made, or within a period of two years from the date of commencement of operation will have made, a significant, bona fide capital investment in the dealership that is subject to loss; (B) has an ownership interest in the dealership; and (C) operates the dealership under a bona fide written agreement with the manufacturer, distributor, factory branch, or factory representative under which he or she will acquire all of the ownership interest in the dealership within a reasonable period of time and under reasonable terms and conditions. The manufacturer, distributor, factory branch, or factory representative has the burden of proof of establishing that the acquisition of the dealership by the independent person was made within a reasonable period of time and under reasonable terms and conditions. Nothing in this subsection (1)(g)(ii) relieves a manufacturer, distributor, factory branch, or factory representative from complying with (a) through (f) of this subsection;

(iii) A manufacturer, distributor, factory branch, or factory representative to own or operate a dealership in conjunction with an independent person in a bona fide business relationship where the independent person: (A) Has made, or within a period of two years from the date of commencement of operation will have made, a significant, bona fide

capital investment in the dealership that is subject to loss; (B) has an ownership interest in the dealership; and (C) operates the dealership under a bona fide written agreement with the manufacturer, distributor, factory branch, or factory representative under which he or she will acquire all of the ownership interest in the dealership within a reasonable period of time and under reasonable terms and conditions. The manufacturer, distributor, factory branch, or factory representative has the burden of proof of establishing that the acquisition of the dealership by the independent person was made within a reasonable period of time and under reasonable terms and conditions. The number of dealerships operated under this subsection (1)(g)(iii) may not exceed four percent rounded up to the nearest whole number of a manufacturer's total of new motor vehicle dealer franchises in this state. Nothing in this subsection (1)(g)(iii) relieves a manufacturer, distributor, factory branch, or factory representative from complying with (a) through (f) of this subsection;

(iv) A truck manufacturer to own, operate, or control a new motor vehicle dealership that sells only trucks of that manufacturer's line make with a gross vehicle weight rating of 12,500 pounds or more, and the truck manufacturer has been continuously engaged in the retail sale of the trucks at least since January 1, 1993;

(v) A manufacturer to own, operate, or control a new motor vehicle dealership trading exclusively in a single line make of the manufacturer if (A) the manufacturer does not own, directly or indirectly, in the aggregate, in excess of forty-five percent of the total ownership interest in the dealership, (B) at the time the manufacturer first acquires ownership or assumes operation or control of any such dealership, the distance between any dealership thus owned, operated, or controlled and the nearest new motor vehicle dealership trading in the same line make of vehicle and in which the manufacturer has no ownership or control is not less than fifteen miles and complies with the applicable provisions in the relevant market area sections of this chapter, (C) all of the manufacturer's franchise agreements confer rights on the dealer of that line make to develop and operate within a defined geographic territory or area, as many dealership facilities as

the dealer and the manufacturer agree are appropriate, and (D) as of January 1, 2000, the manufacturer had no more than four new motor vehicle dealers of that manufacturer's line make in this state, and at least half of those dealers owned and operated two or more dealership facilities in the geographic territory or area covered by their franchise agreements with the manufacturer;

(vi) A final-stage manufacturer to own, operate, or control a new motor vehicle dealership; or

(vii) A manufacturer that held a vehicle dealer license in this state on January 1, 2014, to own, operate, or control a new motor vehicle dealership that sells new vehicles that are only of that manufacturer's makes or lines and that are not sold new by a licensed independent franchise dealer, or to own, operate, or control or contract with companies that provide finance, leasing, or service for vehicles that are of that manufacturer's makes or lines;

(h) Compete with a new motor vehicle dealer by owning, operating, or controlling, whether directly or indirectly, a service facility in this state for the repair or maintenance of motor vehicles under the manufacturer's new car warranty and extended warranty. Nothing in this subsection (1)(h), however, prohibits a manufacturer, distributor, factory branch, or factory representative from owning or operating a service facility for the purpose of providing or performing maintenance, repair, or service work on motor vehicles that are owned by the manufacturer, distributor, factory branch, or factory representative;

(i) Use confidential or proprietary information obtained from a new motor vehicle dealer to unfairly compete with the dealer. For purposes of this subsection (1)(i), "confidential or proprietary information" means trade secrets as defined in RCW 19.108.010, business plans, marketing plans or strategies, customer lists, contracts, sales data, revenues, or other financial information;

(j)(i) Terminate, cancel, or fail to renew a franchise with a new motor vehicle dealer based upon any of the following events, which do not constitute good cause for termination, cancellation, or nonrenewal under RCW 46.96.060: (A) The fact that the new

motor vehicle dealer owns, has an investment in, participates in the management of, or holds a franchise agreement for the sale or service of another make or line of new motor vehicles; (B) the fact that the new motor vehicle dealer has established another make or line of new motor vehicles or service in the same dealership facilities as those of the manufacturer or distributor; (C) that the new motor vehicle dealer has or intends to relocate the manufacturer or distributor's make or line of new motor vehicles or service to an existing dealership facility that is within the relevant market area, as defined in RCW 46.96.140, of the make or line to be relocated, except that, in any nonemergency circumstance, the dealer must give the manufacturer or distributor at least sixty days' notice of his or her intent to relocate and the relocation must comply with RCW 46.96.140 and 46.96.150 for any same make or line facility; or (D) the failure of a franchisee to change the location of the dealership or to make substantial alterations to the use or number of franchises on the dealership premises or facilities.

(ii) Notwithstanding the limitations of this section, a manufacturer may, for separate consideration, enter into a written contract with a dealer to exclusively sell and service a single make or line of new motor vehicles at a specific facility for a defined period of time. The penalty for breach of the contract must not exceed the amount of consideration paid by the manufacturer plus a reasonable rate of interest;

(k) Coerce or attempt to coerce a motor vehicle dealer to refrain from, or prohibit or attempt to prohibit a new motor vehicle dealer from acquiring, owning, having an investment in, participating in the management of, or holding a franchise agreement for the sale or service of another make or line of new motor vehicles or related products, or establishing another make or line of new motor vehicles or service in the same dealership facilities, if the prohibition against acquiring, owning, investing, managing, or holding a franchise for such additional make or line of vehicles or products, or establishing another make or line of new motor vehicles or service in the same dealership facilities, is not supported by reasonable business considerations. The burden of proving that reasonable

business considerations support or justify the prohibition against the additional make or line of new motor vehicles or products or nonexclusive facilities is on the manufacturer;

(l) Require, by contract or otherwise, a new motor vehicle dealer to make a material alteration, expansion, or addition to any dealership facility, unless the required alteration, expansion, or addition is uniformly required of other similarly situated new motor vehicle dealers of the same make or line of vehicles and is reasonable in light of all existing circumstances, including economic conditions. In any proceeding in which a required facility alteration, expansion, or addition is an issue, the manufacturer or distributor has the burden of proof. Except for a program or any renewal or modification of a program that is in effect with one or more new motor vehicle dealers in this state on June 12, 2014, a manufacturer shall not require, coerce, or attempt to coerce any new motor vehicle dealer by program, policy, standard, or otherwise to change the location of the dealership or construct, replace, renovate, or make any substantial changes, alterations, or remodeling to a new motor vehicle dealer's sales or service facilities, except as necessary to comply with health or safety laws or to comply with technology requirements without which a dealer would be unable to service a vehicle the dealer has elected to sell, before the tenth anniversary of the date of issuance of the certificate of occupancy or the manufacturer's approval, whichever is later, from:

(i) The date construction of the dealership at that location was completed if the construction was in substantial compliance with standards or plans provided by a manufacturer, distributor, or representative or through a subsidiary or agent of the manufacturer, distributor, or representative; or

(ii) The date a prior change, alteration, or remodel of the dealership at that location was completed if the construction was in substantial compliance with standards or plans provided by a manufacturer, distributor, or representative or through a subsidiary or agent of the manufacturer, distributor, or representative;

(m) Prevent or attempt to prevent by contract or otherwise any new motor vehicle dealer from changing the

executive management of a new motor vehicle dealer unless the manufacturer or distributor, having the burden of proof, can show that a proposed change of executive management will result in executive management by a person or persons who are not of good moral character or who do not meet reasonable, preexisting, and equitably applied standards of the manufacturer or distributor. If a manufacturer or distributor rejects a proposed change in the executive management, the manufacturer or distributor shall give written notice of its reasons to the dealer within sixty days after receiving written notice from the dealer of the proposed change and all related information reasonably requested by the manufacturer or distributor, or the change in executive management must be considered approved;

(n) Condition the sale, transfer, relocation, or renewal of a franchise agreement or condition manufacturer, distributor, factory branch, or factory representative sales, services, or parts incentives upon the manufacturer obtaining site control, including rights to purchase or lease the dealer's facility, or an agreement to make improvements or substantial renovations to a facility. For purposes of this section, a substantial renovation has a gross cost to the dealer in excess of five thousand dollars;

(o) Fail to provide to a new motor vehicle dealer purchasing or leasing building materials or other facility improvements the right to purchase or lease franchisor image elements of like kind and quality from an alternative vendor selected by the dealer if the goods or services are to be supplied by a vendor selected, identified, or designated by the manufacturer or distributor. If the vendor selected by the manufacturer or distributor is the only available vendor of like kind and quality materials, the new motor vehicle dealer must be given the opportunity to purchase the franchisor image elements at a price substantially similar to the capitalized lease costs of the elements. This subsection (1)(o) must not be construed to allow a new motor vehicle dealer or vendor to gain additional intellectual property rights they are not otherwise entitled to or to impair or eliminate the intellectual property rights of the manufacturer or distributor or to permit a new motor vehicle dealer

to erect or maintain signs that do not conform to the reasonable intellectual property usage guidelines of the manufacturer or distributor;

(p) Take any adverse action against a new motor vehicle dealer including, but not limited to, charge backs or reducing vehicle allocations, for sales and service performance within a designated area of primary responsibility unless that area is reasonable in light of proximity to relevant census tracts to the dealership and competing dealerships, highways and road networks, ~~((state borders,))~~ any natural or man-made barriers, demographics, including economic factors, ~~((and))~~ buyer behavior information, and contains only areas inside the state of Washington unless specifically approved by the new motor vehicle dealer; ~~((or))~~

(q) Require, coerce, or attempt to coerce any new motor vehicle dealer by program, policy, facility guide, standard, or otherwise to order or accept delivery of any service or repair appliances, equipment, parts, or accessories, or any other commodity not required by law, which the dealer has not voluntarily ordered or which the dealer does not have the right to return unused for a full refund within ninety days or a longer period as mutually agreed upon by the dealer and manufacturer; or

(r) Modify the franchise agreement for any new motor vehicle dealer unless the manufacturer notifies the dealer in writing of its intention to modify the agreement at least ninety days before the effective date thereof, stating the specific grounds for the modification, and undertakes the modification in good faith, for good cause, and in a manner that would not adversely and substantially alter the rights, obligations, investment, or return on investment of the franchised new motor vehicle dealer under the existing agreement.

(2) Subsection (1) (a), (b), and (c) of this section do not apply to sales to a motor vehicle dealer: (a) For resale to a federal, state, or local government agency; (b) where the vehicles will be sold or donated for use in a program of driver's education; (c) where the sale is made under a manufacturer's bona fide promotional program offering sales incentives or rebates; (d) where the sale of parts or accessories is under a manufacturer's bona fide quantity

discount program; or (e) where the sale is made under a manufacturer's bona fide fleet vehicle discount program. For purposes of this subsection, "fleet" means a group of fifteen or more new motor vehicles purchased or leased by a dealer at one time under a single purchase or lease agreement for use as part of a fleet, and where the dealer has been assigned a fleet identifier code by the department of licensing.

(3) The following definitions apply to this section:

(a) "Actual price" means the price to be paid by the dealer less any incentive paid by the manufacturer, distributor, factory branch, or factory representative, whether paid to the dealer or the ultimate purchaser of the vehicle.

(b) "Control" or "controlling" means (i) the possession of, title to, or control of ten percent or more of the voting equity interest in a person, whether directly or indirectly through a fiduciary, agent, or other intermediary, or (ii) the possession, direct or indirect, of the power to direct or cause the direction of the management or policies of a person, whether through the ownership of voting securities, through director control, by contract, or otherwise, except as expressly provided under the franchise agreement.

(c) "Motor vehicles" does not include trucks that are 14,001 pounds gross vehicle weight and above or recreational vehicles as defined in RCW 43.22.335.

(d) "Operate" means to manage a dealership, whether directly or indirectly.

(e) "Own" or "ownership" means to hold the beneficial ownership of one percent or more of any class of equity interest in a dealership, whether the interest is that of a shareholder, partner, limited liability company member, or otherwise. To hold an ownership interest means to have possession of, title to, or control of the ownership interest, whether directly or indirectly through a fiduciary, agent, or other intermediary.

(4) A violation of this section is deemed to affect the public interest and constitutes an unlawful and unfair practice under chapter 19.86 RCW. A person aggrieved by an alleged violation of this section may petition the department to have the matter handled as

an adjudicative proceeding under chapter 34.05 RCW.

Sec. 3. RCW 46.96.260 and 2010 c 178 s 11 are each amended to read as follows:

A new motor vehicle dealer who is injured in his or her business or property by a violation of this chapter, or any corporation or association that is primarily owned by or composed of new motor vehicle dealers and that primarily represents the interests of new motor vehicle dealers and is acting for itself or by, for, or on behalf of one or more new motor vehicle dealers, has standing to file a petition to the department to have the matter handled as an adjudicative proceeding under chapter 34.05 RCW, or may bring a civil action in ((the superior)) a court of competent jurisdiction to recover the actual damages sustained by the dealer, to seek declaratory relief, or to enjoin further violations, together with the costs of the suit, including reasonable attorneys' fees if the new motor vehicle dealer, corporation, or association prevails. ((The new motor vehicle dealer may bring a civil action in district court to recover his or her actual damages, except for damages that exceed the amount specified in RCW 3.66.020, and the costs of the suit, including reasonable attorneys' fees.)) In addition, the court may, in its discretion, increase the award of damages up to an amount not to exceed three times the actual damages sustained. If a petition is filed with the department, the petition must be accompanied with a filing fee in accordance with RCW 46.96.210."

Correct the title.

Representatives Kirby and Vick spoke in favor of the adoption of the striking amendment.

Amendment (798) 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 Kirby and Vick spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2439.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2439, and the 2439 passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED HOUSE BILL NO. 2439, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1488, by Representatives Hansen, Haler, Stokesbary, Ortiz-Self, Gregerson, Tarleton, Slatter and Hudgins

Expanding higher education opportunities for certain students.

The bill was read the second time.

There being no objection, Third Substitute House Bill No. 1488 was substituted for House Bill No. 1488 and the third substitute bill was placed on the second reading calendar.

THIRD SUBSTITUTE HOUSE BILL NO. 1488 was read the second time.

Representative Haler moved the adoption of amendment (727):

On page 12, beginning on line 3, after "(v)" strike all material through "program" on line 8 and insert "A person who has deferred action for childhood arrival (DACA) status. If the DACA program is terminated or suspended, those who are in DACA status at the time of termination or suspension of the DACA program may continue to establish his or her domicile in the state up until March 5, 2025. For the purposes of this subsection, a person who has DACA status is a person who has met the federal eligibility requirements and whose

application has been approved by the federal government"

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

Representative Hansen spoke against the adoption of the amendment.

Amendment (727) was not adopted.

Representative MacEwen moved the adoption of amendment (1045):

On page 13, after line 7, insert the following:

"**NEW SECTION. Sec. 4.** The sum of five hundred thousand dollars, or as much thereof as may be necessary, is appropriated for the fiscal year ending June 30, 2019, from the state general fund to the student achievement council for the purposes of funding the state need grant."

Correct the title.

Representatives MacEwen, Hansen and Holy spoke in favor of the adoption of the amendment.

Amendment (1045) 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 Ortiz-Self spoke in favor of the passage of the bill.

Representatives Holy, Hargrove, Van Werven, Harmsworth and Springer spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Third Substitute House Bill No. 1488.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Third Substitute House Bill No. 1488, and the bill passed the House by the following vote: Yeas, 56; Nays, 42; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chandler, Chapman, Clibborn, Cody, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos,

Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Condotta, DeBolt, Dent, Dye, Eslick, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson,

Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Steele, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO. 1488, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2423, by Representatives DeBolt, Tarleton, Orcutt, Blake, Doglio, Fey, Springer, Pollet, Maycumber, Nealey, Schmick, Wilcox, Dye, Smith and Vick

Concerning the state universal communications services program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2423 was substituted for House Bill No. 2423 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2423 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 DeBolt and Morris spoke in favor of the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2423.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2423, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick,

Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 2423, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Lovick presiding) called upon Representative Lytton to preside.

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

MOTIONS

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. 2554
HOUSE BILL NO. 2592
HOUSE BILL NO. 2723
HOUSE BILL NO. 2775
HOUSE BILL NO. 2776
HOUSE BILL NO. 2818
HOUSE BILL NO. 2975

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. 2907
HOUSE BILL NO. 2895

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

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

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2114, by House Committee on Health Care & Wellness (originally sponsored by Representatives Cody and Pollet)

Protecting consumers from charges for out-of-network health services. Revised for 1st Substitute: Addressing protecting consumers from charges for out-of-network health services.

There being no objection, the rules were suspended, and ENGROSSED SUBSTITUTE HOUSE BILL NO. 2114 was returned to second reading for the purpose of amendment.

SECOND READING

Representative Cody moved the adoption of amendment (955):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that consumers receive surprise bills or balance bills for services provided by out-of-network health care providers at in-network facilities, and it is the intent of the legislature to ban the balance billing of consumers for all fully insured, regulated insurance plans and plans offered to public employees. The legislature further declares that consumers must not be placed in the middle of contractual disputes between providers and health insurance carriers. The legislature intends to remove consumers from such disputes by banning balance billing and requiring that payments for noncontracted providers be made directly to providers rather than to consumers. Facilities, providers, and health insurance carriers all share responsibility to ensure consumers have transparent information on network providers and benefit coverage, and the insurance commissioner has the responsibility to ensure networks are adequate and include sufficient contracted providers to reasonably ensure consumers have in-network access for covered benefits.

Sec. 2. RCW 48.43.005 and 2016 c 65 s 2 are each amended to read as follows:

Unless otherwise specifically provided, the definitions in this section apply throughout this chapter.

(1) "Adjusted community rate" means the rating method used to establish the premium for health plans adjusted to reflect actuarially demonstrated differences in utilization or cost attributable to geographic region, age, family size, and use of wellness activities.

(2) "Adverse benefit determination" means a denial, reduction, or termination of, or a failure to provide or make payment, in whole or in part, for a benefit, including a denial, reduction, termination, or failure to provide or make payment that is based on a determination of an enrollee's or applicant's eligibility to participate in a plan, and including, with respect to group health plans, a denial, reduction, or termination of, or a failure to provide or make payment, in whole or in part, for a benefit resulting from the

application of any utilization review, as well as a failure to cover an item or service for which benefits are otherwise provided because it is determined to be experimental or investigational or not medically necessary or appropriate.

(3) "Applicant" means a person who applies for enrollment in an individual health plan as the subscriber or an enrollee, or the dependent or spouse of a subscriber or enrollee.

(4) "Balance bill" means a bill sent to an enrollee by an out-of-network provider or facility for health care services provided to the enrollee after the provider or facility's billed amount is not fully reimbursed by the carrier, exclusive of permitted cost-sharing.

(5) "Basic health plan" means the plan described under chapter 70.47 RCW, as revised from time to time.

~~((45))~~ (6) "Basic health plan model plan" means a health plan as required in RCW 70.47.060(2)(e).

~~((46))~~ (7) "Basic health plan services" means that schedule of covered health services, including the description of how those benefits are to be administered, that are required to be delivered to an enrollee under the basic health plan, as revised from time to time.

~~((47))~~ (8) "Board" means the governing board of the Washington health benefit exchange established in chapter 43.71 RCW.

~~((48))~~ (9)(a) For grandfathered health benefit plans issued before January 1, 2014, and renewed thereafter, "catastrophic health plan" means:

(i) In the case of a contract, agreement, or policy covering a single enrollee, a health benefit plan requiring a calendar year deductible of, at a minimum, one thousand seven hundred fifty dollars and an annual out-of-pocket expense required to be paid under the plan (other than for premiums) for covered benefits of at least three thousand five hundred dollars, both amounts to be adjusted annually by the insurance commissioner; and

(ii) In the case of a contract, agreement, or policy covering more than one enrollee, a health benefit plan requiring a calendar year deductible of, at a minimum, three thousand five hundred dollars and an annual out-of-pocket

expense required to be paid under the plan (other than for premiums) for covered benefits of at least six thousand dollars, both amounts to be adjusted annually by the insurance commissioner.

(b) In July 2008, and in each July thereafter, the insurance commissioner shall adjust the minimum deductible and out-of-pocket expense required for a plan to qualify as a catastrophic plan to reflect the percentage change in the consumer price index for medical care for a preceding twelve months, as determined by the United States department of labor. For a plan year beginning in 2014, the out-of-pocket limits must be adjusted as specified in section 1302(c)(1) of P.L. 111-148 of 2010, as amended. The adjusted amount shall apply on the following January 1st.

(c) For health benefit plans issued on or after January 1, 2014, "catastrophic health plan" means:

(i) A health benefit plan that meets the definition of catastrophic plan set forth in section 1302(e) of P.L. 111-148 of 2010, as amended; or

(ii) A health benefit plan offered outside the exchange marketplace that requires a calendar year deductible or out-of-pocket expenses under the plan, other than for premiums, for covered benefits, that meets or exceeds the commissioner's annual adjustment under (b) of this subsection.

~~((9))~~ (10) "Certification" means a determination by a review organization that an admission, extension of stay, or other health care service or procedure has been reviewed and, based on the information provided, meets the clinical requirements for medical necessity, appropriateness, level of care, or effectiveness under the auspices of the applicable health benefit plan.

~~((10))~~ (11) "Concurrent review" means utilization review conducted during a patient's hospital stay or course of treatment.

~~((11))~~ (12) "Covered person" or "enrollee" means a person covered by a health plan including an enrollee, subscriber, policyholder, beneficiary of a group plan, or individual covered by any other health plan.

~~((12))~~ (13) "Dependent" means, at a minimum, the enrollee's legal spouse and dependent children who qualify for

coverage under the enrollee's health benefit plan.

~~((13))~~ (14) "Emergency medical condition" means a medical, mental health, or substance use disorder condition manifesting itself by acute symptoms of sufficient severity ~~((7))~~ including, but not limited to, severe pain or emotional distress, such that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate medical, mental health, or substance use disorder treatment attention to result in a condition (a) placing the health of the individual, or with respect to a pregnant woman, the health of the woman or her unborn child, in serious jeopardy, (b) serious impairment to bodily functions, or (c) serious dysfunction of any bodily organ or part.

~~((14))~~ (15) "Emergency services" means a medical screening examination, as required under section 1867 of the social security act (42 U.S.C. 1395dd), that is within the capability of the emergency department of a hospital, including ancillary services routinely available to the emergency department to evaluate that emergency medical condition, and further medical examination and treatment, to the extent they are within the capabilities of the staff and facilities available at the hospital, as are required under section 1867 of the social security act (42 U.S.C. 1395dd) to stabilize the patient. Stabilize, with respect to an emergency medical condition, has the meaning given in section 1867(e)(3) of the social security act (42 U.S.C. 1395dd(e)(3)).

~~((15))~~ (16) "Employee" has the same meaning given to the term, as of January 1, 2008, under section 3(6) of the federal employee retirement income security act of 1974.

~~((16))~~ (17) "Enrollee point-of-service cost-sharing" or "cost-sharing" means amounts paid to health carriers directly providing services, health care providers, or health care facilities by enrollees and may include copayments, coinsurance, or deductibles.

~~((17))~~ (18) "Exchange" means the Washington health benefit exchange established under chapter 43.71 RCW.

~~((18))~~ (19) "Final external review decision" means a determination by an

independent review organization at the conclusion of an external review.

~~((19))~~ (20) "Final internal adverse benefit determination" means an adverse benefit determination that has been upheld by a health plan or carrier at the completion of the internal appeals process, or an adverse benefit determination with respect to which the internal appeals process has been exhausted under the exhaustion rules described in RCW 48.43.530 and 48.43.535.

~~((20))~~ (21) "Grandfathered health plan" means a group health plan or an individual health plan that under section 1251 of the patient protection and affordable care act, P.L. 111-148 (2010) and as amended by the health care and education reconciliation act, P.L. 111-152 (2010) is not subject to subtitles A or C of the act as amended.

~~((21))~~ (22) "Grievance" means a written complaint submitted by or on behalf of a covered person regarding service delivery issues other than denial of payment for medical services or nonprovision of medical services, including dissatisfaction with medical care, waiting time for medical services, provider or staff attitude or demeanor, or dissatisfaction with service provided by the health carrier.

~~((22))~~ (23) "Health care facility" or "facility" means hospices licensed under chapter 70.127 RCW, hospitals licensed under chapter 70.41 RCW, rural health care facilities as defined in RCW 70.175.020, psychiatric hospitals licensed under chapter 71.12 RCW, nursing homes licensed under chapter 18.51 RCW, community mental health centers licensed under chapter 71.05 or 71.24 RCW, kidney disease treatment centers licensed under chapter 70.41 RCW, ambulatory diagnostic, treatment, or surgical facilities licensed under chapter 70.41 RCW, drug and alcohol treatment facilities licensed under chapter 70.96A RCW, and home health agencies licensed under chapter 70.127 RCW, and includes such facilities if owned and operated by a political subdivision or instrumentality of the state and such other facilities as required by federal law and implementing regulations.

~~((23))~~ (24) "Health care provider" or "provider" means:

(a) A person regulated under Title 18 or chapter 70.127 RCW, to practice health or health-related services or otherwise

practicing health care services in this state consistent with state law; or

(b) An employee or agent of a person described in (a) of this subsection, acting in the course and scope of his or her employment.

~~((24))~~ (25) "Health care service" means that service offered or provided by health care facilities and health care providers relating to the prevention, cure, or treatment of illness, injury, or disease.

~~((25))~~ (26) "Health carrier" or "carrier" means a disability insurer regulated under chapter 48.20 or 48.21 RCW, a health care service contractor as defined in RCW 48.44.010, or a health maintenance organization as defined in RCW 48.46.020, and includes "issuers" as that term is used in the patient protection and affordable care act (P.L. 111-148).

~~((26))~~ (27) "Health plan" or "health benefit plan" means any policy, contract, or agreement offered by a health carrier to provide, arrange, reimburse, or pay for health care services except the following:

(a) Long-term care insurance governed by chapter 48.84 or 48.83 RCW;

(b) Medicare supplemental health insurance governed by chapter 48.66 RCW;

(c) Coverage supplemental to the coverage provided under chapter 55, Title 10, United States Code;

(d) Limited health care services offered by limited health care service contractors in accordance with RCW 48.44.035;

(e) Disability income;

(f) Coverage incidental to a property/casualty liability insurance policy such as automobile personal injury protection coverage and homeowner guest medical;

(g) Workers' compensation coverage;

(h) Accident only coverage;

(i) Specified disease or illness-triggered fixed payment insurance, hospital confinement fixed payment insurance, or other fixed payment insurance offered as an independent, noncoordinated benefit;

(j) Employer-sponsored self-funded health plans;

(k) Dental only and vision only coverage;

(l) Plans deemed by the insurance commissioner to have a short-term limited purpose or duration, or to be a student-only plan that is guaranteed renewable while the covered person is enrolled as a regular full-time undergraduate or graduate student at an accredited higher education institution, after a written request for such classification by the carrier and subsequent written approval by the insurance commissioner; and

(m) Civilian health and medical program for the veterans affairs administration (CHAMPVA).

~~((27))~~ (28) "In-network" or "participating" means a provider or facility that has contracted with a carrier or a carrier's contractor or subcontractor to provide health care services to enrollees for the purpose of receiving reimbursement from the carrier at specified levels as payment in full for the health care services, including applicable cost-sharing obligations.

(29) "Individual market" means the market for health insurance coverage offered to individuals other than in connection with a group health plan.

~~((28))~~ (30) "Material modification" means a change in the actuarial value of the health plan as modified of more than five percent but less than fifteen percent.

~~((29))~~ (31) "Open enrollment" means a period of time as defined in rule to be held at the same time each year, during which applicants may enroll in a carrier's individual health benefit plan without being subject to health screening or otherwise required to provide evidence of insurability as a condition for enrollment.

~~((30))~~ (32) "Out-of-network" or "nonparticipating" means a provider or facility that has not contracted with a carrier or a carrier's contractor or subcontractor to provide health care services to enrollees.

(33) "Out-of-pocket maximum" means the maximum amount an enrollee is required to pay in the form of cost-sharing for covered benefits in a plan year, after which the carrier covers the entirety of the allowed amount of covered benefits under the contract of coverage.

(34) "Preexisting condition" means any medical condition, illness, or injury that existed any time prior to the effective date of coverage.

~~((31))~~ (35) "Premium" means all sums charged, received, or deposited by a health carrier as consideration for a health plan or the continuance of a health plan. Any assessment or any "membership," "policy," "contract," "service," or similar fee or charge made by a health carrier in consideration for a health plan is deemed part of the premium. "Premium" shall not include amounts paid as enrollee point-of-service cost-sharing.

~~((32))~~ (36) "Review organization" means a disability insurer regulated under chapter 48.20 or 48.21 RCW, health care service contractor as defined in RCW 48.44.010, or health maintenance organization as defined in RCW 48.46.020, and entities affiliated with, under contract with, or acting on behalf of a health carrier to perform a utilization review.

~~((33))~~ (37) "Small employer" or "small group" means any person, firm, corporation, partnership, association, political subdivision, sole proprietor, or self-employed individual that is actively engaged in business that employed an average of at least one but no more than fifty employees, during the previous calendar year and employed at least one employee on the first day of the plan year, is not formed primarily for purposes of buying health insurance, and in which a bona fide employer-employee relationship exists. In determining the number of employees, companies that are affiliated companies, or that are eligible to file a combined tax return for purposes of taxation by this state, shall be considered an employer. Subsequent to the issuance of a health plan to a small employer and for the purpose of determining eligibility, the size of a small employer shall be determined annually. Except as otherwise specifically provided, a small employer shall continue to be considered a small employer until the plan anniversary following the date the small employer no longer meets the requirements of this definition. A self-employed individual or sole proprietor who is covered as a group of one must also: (a) Have been employed by the same small employer or small group for at least twelve months prior to application for small group

coverage, and (b) verify that he or she derived at least seventy-five percent of his or her income from a trade or business through which the individual or sole proprietor has attempted to earn taxable income and for which he or she has filed the appropriate internal revenue service form 1040, schedule C or F, for the previous taxable year, except a self-employed individual or sole proprietor in an agricultural trade or business, must have derived at least fifty-one percent of his or her income from the trade or business through which the individual or sole proprietor has attempted to earn taxable income and for which he or she has filed the appropriate internal revenue service form 1040, for the previous taxable year.

~~((34))~~ (38) "Special enrollment" means a defined period of time of not less than thirty-one days, triggered by a specific qualifying event experienced by the applicant, during which applicants may enroll in the carrier's individual health benefit plan without being subject to health screening or otherwise required to provide evidence of insurability as a condition for enrollment.

~~((35))~~ (39) "Standard health questionnaire" means the standard health questionnaire designated under chapter 48.41 RCW.

~~((36))~~ (40) "Utilization review" means the prospective, concurrent, or retrospective assessment of the necessity and appropriateness of the allocation of health care resources and services of a provider or facility, given or proposed to be given to an enrollee or group of enrollees.

~~((37))~~ (41) "Wellness activity" means an explicit program of an activity consistent with department of health guidelines, such as, smoking cessation, injury and accident prevention, reduction of alcohol misuse, appropriate weight reduction, exercise, automobile and motorcycle safety, blood cholesterol reduction, and nutrition education for the purpose of improving enrollee health status and reducing health service costs.

Sec. 3. RCW 48.43.093 and 1997 c 231 s 301 are each amended to read as follows:

(1) When conducting a review of the necessity and appropriateness of emergency services or making a benefit determination for emergency services:

(a) A health carrier shall cover emergency services necessary to screen and stabilize a covered person if a prudent layperson acting reasonably would have believed that an emergency medical condition existed. In addition, a health carrier shall not require prior authorization of ~~((such))~~ emergency services provided prior to the point of stabilization if a prudent layperson acting reasonably would have believed that an emergency medical condition existed. With respect to care obtained from ~~((a nonparticipating))~~ an out-of-network hospital emergency department, a health carrier shall cover emergency services necessary to screen and stabilize a covered person ~~((if a prudent layperson would have reasonably believed that use of a participating hospital emergency department would result in a delay that would worsen the emergency, or if a provision of federal, state, or local law requires the use of a specific provider or facility)).~~ In addition, a health carrier shall not require prior authorization of ~~((such))~~ the services provided prior to the point of stabilization ~~((if a prudent layperson acting reasonably would have believed that an emergency medical condition existed and that use of a participating hospital emergency department would result in a delay that would worsen the emergency)).~~

(b) If an authorized representative of a health carrier authorizes coverage of emergency services, the health carrier shall not subsequently retract its authorization after the emergency services have been provided, or reduce payment for an item or service furnished in reliance on approval, unless the approval was based on a material misrepresentation about the covered person's health condition made by the provider of emergency services.

(c) Coverage of emergency services may be subject to applicable in-network copayments, coinsurance, and deductibles, ~~((and a health carrier may impose reasonable differential cost-sharing arrangements for emergency services rendered by nonparticipating providers, if such differential between cost-sharing amounts applied to emergency services rendered by participating provider versus nonparticipating provider does not exceed fifty dollars. Differential cost sharing for emergency services may not be applied when a covered person presents to~~

~~a nonparticipating hospital emergency department rather than a participating hospital emergency department when the health carrier requires preauthorization for postevaluation or poststabilization emergency services if:~~

~~(i) Due to circumstances beyond the covered person's control, the covered person was unable to go to a participating hospital emergency department in a timely fashion without serious impairment to the covered person's health; or~~

~~(ii) A prudent layperson possessing an average knowledge of health and medicine would have reasonably believed that he or she would be unable to go to a participating hospital emergency department in a timely fashion without serious impairment to the covered person's health)) as provided in sections 4 through 15 of this act.~~

~~((d))~~ (2) If a health carrier requires preauthorization for postevaluation or poststabilization services, the health carrier shall provide access to an authorized representative twenty-four hours a day, seven days a week, to facilitate review. In order for postevaluation or poststabilization services to be covered by the health carrier, the provider or facility must make a documented good faith effort to contact the covered person's health carrier within thirty minutes of stabilization, if the covered person needs to be stabilized. The health carrier's authorized representative is required to respond to a telephone request for preauthorization from a provider or facility within thirty minutes. Failure of the health carrier to respond within thirty minutes constitutes authorization for the provision of immediately required medically necessary postevaluation and poststabilization services, unless the health carrier documents that it made a good faith effort but was unable to reach the provider or facility within thirty minutes after receiving the request.

~~((e))~~ (3) A health carrier shall immediately arrange for an alternative plan of treatment for the covered person if ~~((a nonparticipating))~~ an out-of-network emergency provider and health ~~((plan))~~ carrier cannot reach an agreement on which services are necessary beyond those immediately necessary to stabilize the covered person consistent with state and federal laws.

~~((2))~~ (4) Nothing in this section is to be construed as prohibiting the health carrier from requiring notification within the time frame specified in the contract for inpatient admission or as soon thereafter as medically possible but no less than twenty-four hours. Nothing in this section is to be construed as preventing the health carrier from reserving the right to require transfer of a hospitalized covered person upon stabilization. Follow-up care that is a direct result of the emergency must be obtained in accordance with the health plan's usual terms and conditions of coverage. All other terms and conditions of coverage may be applied to emergency services.

NEW SECTION. Sec. 4. This subchapter may be known and cited as the balance billing protection act.

NEW SECTION. Sec. 5. (1) An out-of-network provider or facility may not balance bill an enrollee for the following health care services:

(a) Emergency services provided to an enrollee; and

(b) Nonemergency health care services provided to an enrollee at an in-network hospital licensed under chapter 70.41 RCW or an in-network ambulatory surgical facility licensed under chapter 70.230 RCW if the services:

(i) Involve surgical or ancillary services; and

(ii) Are provided by an out-of-network provider.

(2) Payment for services described in subsection (1) of this section is subject to sections 6 and 7 of this act.

(3) For purposes of this subchapter, "surgical or ancillary services" means surgery, anesthesiology, pathology, radiology, laboratory, or hospitalist services.

NEW SECTION. Sec. 6. (1) If an enrollee receives emergency or nonemergency health care services under the circumstances described in section 5 of this act:

(a) The enrollee satisfies his or her obligation to pay for the health care services if he or she pays the in-network cost-sharing amount specified in the enrollee's or applicable group's health plan contract;

(b) The carrier, out-of-network provider, or out-of-network facility, and an agent, trustee, or assignee of the carrier, out-of-network provider, or out-of-network facility must ensure that the enrollee incurs no greater cost than he or she would have incurred if the services had been provided by an in-network provider or at an in-network facility;

(c) The out-of-network provider or out-of-network facility, and an agent, trustee, or assignee of the out-of-network provider or out-of-network facility:

(i) May not balance bill or otherwise attempt to collect from the enrollee any amount greater than the in-network cost-sharing amount specified in the enrollee's or applicable group's health plan contract. This does not impact the provider's ability to collect a past due balance for the cost-sharing amount with interest;

(ii) May not report adverse information to a consumer credit reporting agency or commence a civil action against the enrollee before the expiration of one hundred fifty days after the initial billing for the amount owed by the enrollee under this subsection (1); and

(iii) May not use wage garnishments or liens on the primary residence of the enrollee as a means of collecting unpaid bills under this subsection (1);

(d) The carrier must:

(i) Calculate the in-network cost-sharing amount for the out-of-network provider or facility's services using the greater of the amounts specified in subsection (3) of this section; and

(ii) Treat any cost-sharing amounts paid by the enrollee for such services in the same manner as cost-sharing for health care services provided by an in-network provider and must apply any cost-sharing amounts paid by the enrollee for such services toward the limit on the enrollee's in-network out-of-pocket maximum expenses.

(e) If the enrollee pays the out-of-network provider or out-of-network facility an amount that exceeds the in-network cost-sharing amount specified in the carrier's explanation of benefits, the provider or facility must refund any amount in excess of the in-network cost-

sharing amount to the enrollee within thirty business days of receipt. Interest must be paid to the enrollee for any unfunded payments at a rate of twelve percent beginning on the first calendar day after the thirty business days.

(2) Upon receipt of an out-of-network provider or facility's bill for health care services described in section 5 of this act, the carrier must make its applicable payment directly to the provider or facility, rather than the enrollee.

(3) The carrier must adjudicate the claim using an allowed amount for the health care service that is the greater of:

(a) The median allowed amount paid to in-network providers for the health care service provided as determined by reference to the data set prepared by the Washington state all payer claims database under section 22 of this act, including any applicable enrollee in-network cost-sharing requirement;

(b) The median amount paid to out-of-network providers for the health care service provided, as determined by reference to the data set prepared by the Washington state all payer claims database under section 22 of this act, including any applicable enrollee in-network cost-sharing requirement; or

(c) One hundred seventy-five percent of the amount that would be paid under medicare, Title XVIII of the federal social security act, for the service, including any applicable enrollee in-network cost-sharing requirement.

NEW SECTION. Sec. 7. (1) In the event of a dispute between a carrier and an out-of-network provider or facility regarding payment for the services described in section 5 of this act, a party wishing to pursue a payment dispute must initiate an informal settlement communication no later than thirty days after receipt of payment or payment notification from the carrier. A party may not refuse to participate in a teleconference or in-person meeting if requested.

(2)(a) If the informal settlement communication does not result in a resolution, a carrier, out-of-network provider, or out-of-network facility may initiate arbitration to determine a reasonable payment amount. To initiate arbitration, the carrier, provider, or

facility must provide written notification to the commissioner and the noninitiating party no later than sixty days after initiation of the informal settlement communication. The notification to the noninitiating party must state the initiating party's final offer. No later than thirty days following receipt of the notification, the noninitiating party must provide its final offer to the initiating party. The parties may reach an agreement on reimbursement during this time and before the arbitration proceeding.

(b) Multiple claims may be addressed in a single arbitration proceeding if the claims at issue:

(i) Involve identical carrier and provider or facility parties;

(ii) Involve claims with the same or related current procedural terminology codes relevant to a particular procedure; and

(iii) Occur within a period of six months of one another.

(3) Upon receipt of notification from the initiating party, the commissioner must provide the parties with a list of approved arbitrators or entities that provide binding arbitration. The arbitrators on the list must be trained by the American arbitration association or the American health lawyers association. The parties may agree on an arbitrator from the list provided by the commissioner. If the parties do not agree on an arbitrator, they must notify the commissioner who must provide them with the names of five arbitrators from the list. Each party may veto two of the five named arbitrators. If one arbitrator remains, that person is the chosen arbitrator. If more than one arbitrator remains, the commissioner must choose the arbitrator from the remaining arbitrators. The parties and the commissioner must complete this selection process within twenty days of receipt of the list from the commissioner.

(4)(a) Each party must make written submissions to the arbitrator in support of its position no later than thirty days after the final selection of the arbitrator. A party that fails to make timely written submissions under this section without good cause shown shall be considered to be in default and the arbitrator shall require the party in default to pay the final offer amount

submitted by the party not in default and may require the party in default to pay the reasonable attorneys' fees of the party not in default. No later than thirty days after the receipt of the parties' written submissions, the arbitrator must: Issue a written decision requiring payment of the final offer amount of either the initiating party or the noninitiating party; notify the parties of its decision; and provide the decision and the information described in section 8 of this act regarding the decision to the commissioner.

(b) In reviewing the submissions of the parties and making a decision related to the appropriate amount to be paid to the out-of-network provider or facility, the arbitrator must consider the following factors:

(i) The median amounts determined under section 6(3)(a) and (b) of this act;

(ii) The median billed charge amount for the service at issue reported in the data set prepared by the Washington state all payer claims database under section 22 of this act;

(iii) The circumstances and complexity of the case, including time and place of service and whether the service was delivered at a level I or level II trauma center or a rural facility;

(iv) Patient characteristics; and

(v) The level of training, education, and experience of the provider.

(c) The arbitrator may also consider other information that a party believes is justified or other factors the arbitrator requests.

(5) Expenses incurred in the course of arbitration, including the arbitrator's expenses and fees, but not including attorneys' fees, must be paid by the party whose final offer was rejected by the arbitrator. The enrollee is not liable for any of the costs of the arbitration and may not be required to participate in the arbitration proceeding as a witness or otherwise.

(6) The parties must enter into a nondisclosure agreement to protect any personal health information or fee information provided to the arbitrator.

(7) Chapter 7.04A RCW applies to arbitrations conducted under this section, but in the event of a conflict

between this section and chapter 7.04A RCW, this section governs.

NEW SECTION. **Sec. 8.** (1) The commissioner must prepare an annual report summarizing the dispute resolution information provided by arbitrators under section 7 of this act. The report must include summary information related to the matters decided through arbitration, as well as the following information for each dispute resolved through arbitration: The carrier; the health care provider; the health care provider's employer or the business entity in which the provider has an ownership interest; the health care facility where the services were provided; and the type of health care services at issue.

(2) The commissioner must post the report on the office of the insurance commissioner's web site and submit it to the appropriate committees of the legislature annually by July 1st.

(3) This section expires January 1, 2023.

NEW SECTION. **Sec. 9.** (1) A nonemployed provider group that provides surgical or ancillary services at a hospital or ambulatory surgical facility must notify the hospital or ambulatory surgical facility of the carrier health plan networks in which the provider group is an in-network provider. The provider group must notify the hospital or ambulatory surgical facility if the contract between the provider group and such a carrier will be terminated. The provider group must provide the notice as soon as practicable, but in no case less than forty-five days prior to termination of the contract.

(2) A hospital or ambulatory surgical facility must post the following information on its web site, if one is available:

(a) A list of the carrier health plan provider networks with which the hospital or ambulatory surgical facility is an in-network provider; and

(b) For each nonemployed provider group with which the hospital or ambulatory surgical facility has a contract to provide surgical or ancillary services, whether the provider group contracts with the same carrier health plan provider networks as the hospital or ambulatory surgical facility.

NEW SECTION. **Sec. 10.** (1) A health care provider must provide information on its web site, if available, listing the carrier health plan provider networks with which the provider contracts.

(2) An in-network provider must submit accurate information to a carrier regarding the provider's network status in a timely manner, consistent with the terms of the contract between the provider and the carrier.

NEW SECTION. **Sec. 11.** (1) A carrier must update its web site and provider directory no later than thirty days after the addition or termination of a facility or provider.

(2) A carrier must provide an enrollee with:

(a) A clear description of the health plan's out-of-network health benefits;

(b) Notice of rights under this subchapter using the standard template language developed under section 13 of this act;

(c) Notification that if the enrollee receives services from an out-of-network provider or facility, under circumstances other than those described in section 5 of this act, the enrollee will have the financial responsibility applicable to services provided outside the health plan's network in excess of applicable cost-sharing amounts and that the enrollee may be responsible for any costs in excess of those allowed by the health plan;

(d) Information on how to use the carrier's member transparency tools under RCW 48.43.007;

(e) Upon request, information regarding whether a health care provider is in-network or out-of-network; and

(f) Upon request, an estimated range of the out-of-pocket costs for an out-of-network benefit.

NEW SECTION. **Sec. 12.** (1) If the commissioner has cause to believe that any person, including a health care provider or facility, is violating a provision of this subchapter, the commissioner may submit information to the department of health or the appropriate disciplining authority for action.

(2) If any person, including a health care provider or facility, violates or has violated a provision of this

subchapter, the department of health or the appropriate disciplining authority may levy a fine upon the person in an amount not to exceed one thousand dollars per violation and take other action as permitted under the authority of the department or disciplining authority. Upon completion of its review of any potential violation submitted by the commissioner or initiated directly by an enrollee, the department of health or the disciplining authority shall notify the commissioner of the results of the review, including whether the violation was substantiated and any enforcement action taken as a result of a finding of a substantiated violation.

(3) If a carrier violates or has violated any provision of this subchapter, the commissioner may levy a fine or apply remedies authorized under chapter 48.02 RCW.

(4) For purposes of this section, "disciplining authority" means the agency, board, or commission having the authority to take disciplinary action against a holder of, or applicant for, a professional or business license upon a finding of a violation of chapter 18.130 RCW or a chapter specified under RCW 18.130.040.

NEW SECTION. Sec. 13. (1) The commissioner may adopt rules to implement and administer this subchapter, including rules governing the dispute resolution process established in section 7 of this act.

(2)(a) The commissioner, in consultation with health carriers, health care providers, health care facilities, and consumers, must develop standard template language for notifying consumers:

(i) That they may not be balance billed for the health care services described in section 5 of this act and will receive the protections provided by section 6 of this act;

(ii) That they may be balance billed for health care services under circumstances other than those described in section 5 of this act.

(b) The standard template language must include contact information for the office of the insurance commissioner so that consumers may contact the office of the insurance commissioner if they believe they have received a balance bill in violation of this subchapter.

(c) The office of the insurance commissioner shall determine by rule when and in what format health carriers, health care providers, and health care facilities must provide consumers with the notice developed under this section.

NEW SECTION. Sec. 14. This subchapter does not apply to health plans that provide benefits under chapter 74.09 RCW.

NEW SECTION. Sec. 15. This subchapter must be liberally construed to promote the public interest by ensuring that consumers are not billed out-of-network charges and do not receive additional bills from providers under the circumstances described in section 5 of this act.

NEW SECTION. Sec. 16. (1) When determining the adequacy of a proposed provider network or the ongoing adequacy of an in-force provider network, the commissioner must consider whether the carrier's proposed provider network or in-force provider network includes a sufficient number of contracted providers practicing at the same facilities with which the carrier has contracted for the proposed or established provider network to reasonably ensure enrollees have in-network access for covered benefits delivered at that facility.

(2) A hospital or ambulatory surgical facility must provide the carrier with information about the network status of nonemployed provider groups that provide services at the hospital or ambulatory surgical facility using the information provided under section 9 of this act.

Sec. 17. RCW 18.130.050 and 2016 c 81 s 13 are each amended to read as follows:

Except as provided in RCW 18.130.062, the disciplining authority has the following authority:

(1) To adopt, amend, and rescind such rules as are deemed necessary to carry out this chapter;

(2) To investigate all complaints or reports of unprofessional conduct as defined in this chapter;

(3) To hold hearings as provided in this chapter;

(4) To issue subpoenas and administer oaths in connection with any investigation, consideration of an application for license, hearing, or proceeding held under this chapter;

(5) To take or cause depositions to be taken and use other discovery procedures as needed in any investigation, hearing, or proceeding held under this chapter;

(6) To compel attendance of witnesses at hearings;

(7) In the course of investigating a complaint or report of unprofessional conduct, to conduct practice reviews and to issue citations and assess fines for failure to produce documents, records, or other items in accordance with RCW 18.130.230;

(8) To take emergency action ordering summary suspension of a license, or restriction or limitation of the license holder's practice pending proceedings by the disciplining authority. Within fourteen days of a request by the affected license holder, the disciplining authority must provide a show cause hearing in accordance with the requirements of RCW 18.130.135. In addition to the authority in this subsection, a disciplining authority shall, except as provided in RCW 9.97.020:

(a) Consistent with RCW 18.130.370, issue a summary suspension of the license or temporary practice permit of a license holder prohibited from practicing a health care profession in another state, federal, or foreign jurisdiction because of an act of unprofessional conduct that is substantially equivalent to an act of unprofessional conduct prohibited by this chapter or any of the chapters specified in RCW 18.130.040. The summary suspension remains in effect until proceedings by the Washington disciplining authority have been completed;

(b) Consistent with RCW 18.130.400, issue a summary suspension of the license or temporary practice permit if, under RCW 74.39A.051, the license holder is prohibited from employment in the care of vulnerable adults based upon a department of social and health services' final finding of abuse or neglect of a minor or abuse, abandonment, neglect, or financial exploitation of a vulnerable adult. The summary suspension remains in effect until proceedings by the disciplining authority have been completed;

(9) To conduct show cause hearings in accordance with RCW 18.130.062 or 18.130.135 to review an action taken by the disciplining authority to suspend a

license or restrict or limit a license holder's practice pending proceedings by the disciplining authority;

(10) To use a presiding officer as authorized in RCW 18.130.095(3) or the office of administrative hearings as authorized in chapter 34.12 RCW to conduct hearings. Disciplining authorities identified in RCW 18.130.040(2) shall make the final decision regarding disposition of the license unless the disciplining authority elects to delegate in writing the final decision to the presiding officer. Disciplining authorities identified in RCW 18.130.040(2)(b) may not delegate the final decision regarding disposition of the license or imposition of sanctions to a presiding officer in any case pertaining to standards of practice or where clinical expertise is necessary, including deciding any motion that results in dismissal of any allegation contained in the statement of charges. Presiding officers acting on behalf of the secretary shall enter initial orders. The secretary may, by rule, provide that initial orders in specified classes of cases may become final without further agency action unless, within a specified time period:

(a) The secretary upon his or her own motion determines that the initial order should be reviewed; or

(b) A party to the proceedings files a petition for administrative review of the initial order;

(11) To use individual members of the boards to direct investigations and to authorize the issuance of a citation under subsection (7) of this section. However, the member of the board shall not subsequently participate in the hearing of the case;

(12) To enter into contracts for professional services determined to be necessary for adequate enforcement of this chapter;

(13) To contract with license holders or other persons or organizations to provide services necessary for the monitoring and supervision of license holders who are placed on probation, whose professional activities are restricted, or who are for any authorized purpose subject to monitoring by the disciplining authority;

(14) To adopt standards of professional conduct or practice;

(15) To grant or deny license applications, and in the event of a finding of unprofessional conduct by an applicant or license holder, to impose any sanction against a license applicant or license holder provided by this chapter. After January 1, 2009, all sanctions must be issued in accordance with RCW 18.130.390;

(16) To restrict or place conditions on the practice of new licensees in order to protect the public and promote the safety of and confidence in the health care system;

(17) To designate individuals authorized to sign subpoenas and statements of charges;

(18) To establish panels consisting of three or more members of the board to perform any duty or authority within the board's jurisdiction under this chapter;

(19) To review and audit the records of licensed health facilities' or services' quality assurance committee decisions in which a license holder's practice privilege or employment is terminated or restricted. Each health facility or service shall produce and make accessible to the disciplining authority the appropriate records and otherwise facilitate the review and audit. Information so gained shall not be subject to discovery or introduction into evidence in any civil action pursuant to RCW 70.41.200(3);

(20) To levy a fine in an amount not to exceed one thousand dollars per violation and take other action as permitted under the authority of the disciplining authority, if a report of a potential violation of sections 4 through 16 of this act by a health care provider is substantiated.

Sec. 18. RCW 18.130.180 and 2010 c 9 s 5 are each amended to read as follows:

The following conduct, acts, or conditions constitute unprofessional conduct for any license holder under the jurisdiction of this chapter:

(1) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice of the person's profession, whether the act constitutes a crime or not. If the act constitutes a crime, conviction in a criminal proceeding is not a condition precedent to disciplinary action. Upon such a conviction, however, the judgment

and sentence is conclusive evidence at the ensuing disciplinary hearing of the guilt of the license holder of the crime described in the indictment or information, and of the person's violation of the statute on which it is based. For the purposes of this section, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for the conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW;

(2) Misrepresentation or concealment of a material fact in obtaining a license or in reinstatement thereof;

(3) All advertising which is false, fraudulent, or misleading;

(4) Incompetence, negligence, or malpractice which results in injury to a patient or which creates an unreasonable risk that a patient may be harmed. The use of a nontraditional treatment by itself shall not constitute unprofessional conduct, provided that it does not result in injury to a patient or create an unreasonable risk that a patient may be harmed;

(5) Suspension, revocation, or restriction of the individual's license to practice any health care profession by competent authority in any state, federal, or foreign jurisdiction, a certified copy of the order, stipulation, or agreement being conclusive evidence of the revocation, suspension, or restriction;

(6) Except when authorized by RCW 18.130.345, the possession, use, prescription for use, or distribution of controlled substances or legend drugs in any way other than for legitimate or therapeutic purposes, diversion of controlled substances or legend drugs, the violation of any drug law, or prescribing controlled substances for oneself;

(7) Violation of any state or federal statute or administrative rule regulating the profession in question, including any statute or rule defining or establishing standards of patient care or professional conduct or practice;

(8) Failure to cooperate with the disciplining authority by:

(a) Not furnishing any papers, documents, records, or other items;

(b) Not furnishing in writing a full and complete explanation covering the matter contained in the complaint filed with the disciplining authority;

(c) Not responding to subpoenas issued by the disciplining authority, whether or not the recipient of the subpoena is the accused in the proceeding; or

(d) Not providing reasonable and timely access for authorized representatives of the disciplining authority seeking to perform practice reviews at facilities utilized by the license holder;

(9) Failure to comply with an order issued by the disciplining authority or a stipulation for informal disposition entered into with the disciplining authority;

(10) Aiding or abetting an unlicensed person to practice when a license is required;

(11) Violations of rules established by any health agency;

(12) Practice beyond the scope of practice as defined by law or rule;

(13) Misrepresentation or fraud in any aspect of the conduct of the business or profession;

(14) Failure to adequately supervise auxiliary staff to the extent that the consumer's health or safety is at risk;

(15) Engaging in a profession involving contact with the public while suffering from a contagious or infectious disease involving serious risk to public health;

(16) Promotion for personal gain of any unnecessary or inefficacious drug, device, treatment, procedure, or service;

(17) Conviction of any gross misdemeanor or felony relating to the practice of the person's profession. For the purposes of this subsection, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW;

(18) The procuring, or aiding or abetting in procuring, a criminal abortion;

(19) The offering, undertaking, or agreeing to cure or treat disease by a secret method, procedure, treatment, or medicine, or the treating, operating, or prescribing for any health condition by a method, means, or procedure which the licensee refuses to divulge upon demand of the disciplining authority;

(20) The willful betrayal of a practitioner-patient privilege as recognized by law;

(21) Violation of chapter 19.68 RCW or sections 4 through 15 of this act;

(22) Interference with an investigation or disciplinary proceeding by willful misrepresentation of facts before the disciplining authority or its authorized representative, or by the use of threats or harassment against any patient or witness to prevent them from providing evidence in a disciplinary proceeding or any other legal action, or by the use of financial inducements to any patient or witness to prevent or attempt to prevent him or her from providing evidence in a disciplinary proceeding;

(23) Current misuse of:

(a) Alcohol;

(b) Controlled substances; or

(c) Legend drugs;

(24) Abuse of a client or patient or sexual contact with a client or patient;

(25) Acceptance of more than a nominal gratuity, hospitality, or subsidy offered by a representative or vendor of medical or health-related products or services intended for patients, in contemplation of a sale or for use in research publishable in professional journals, where a conflict of interest is presented, as defined by rules of the disciplining authority, in consultation with the department, based on recognized professional ethical standards.

NEW SECTION. Sec. 19. A new section is added to chapter 70.41 RCW to read as follows:

If the insurance commissioner reports that a hospital has violated sections 4 through 16 of this act, the department may levy a fine upon the hospital in an amount not to exceed one thousand dollars per violation and take other action as permitted under the authority of the department.

NEW SECTION. **Sec. 20.** A new section is added to chapter 70.230 RCW to read as follows:

If the insurance commissioner reports that an ambulatory surgical facility has violated sections 4 through 16 of this act, the department may levy a fine upon the ambulatory surgical facility in an amount not to exceed one thousand dollars per violation and take other action as permitted under the authority of the department.

Sec. 21. RCW 41.05.017 and 2016 c 139 s 4 are each amended to read as follows:

Each health plan that provides medical insurance offered under this chapter, including plans created by insuring entities, plans not subject to the provisions of Title 48 RCW, and plans created under RCW 41.05.140, are subject to the provisions of RCW 48.43.500, 70.02.045, 48.43.505 through 48.43.535, 48.43.537, 48.43.545, 48.43.550, 70.02.110, 70.02.900, 48.43.190, (~~and~~) 48.43.083, and sections 4 through 15 of this act.

NEW SECTION. **Sec. 22.** A new section is added to chapter 43.371 RCW to read as follows:

The office of financial management, with the lead organization, shall establish a data set and business process to provide health carriers, health care providers, and arbitrators with prevailing payment and billed charge amounts for the services described in section 5 of this act to assist in determining allowed amounts and resolving payment disputes for out-of-network medical services rendered by health care providers. The data and business process must be available beginning January 1, 2019.

NEW SECTION. **Sec. 23.** Sections 4 through 16 of this act are each added to chapter 48.43 RCW and codified with the subchapter heading of "health care services balance billing."

NEW SECTION. **Sec. 24.** Sections 1 through 21 and 23 of this act take effect January 1, 2019.

NEW SECTION. **Sec. 25.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Correct the title.

Representative Schmick moved the adoption of amendment (1017) to the striking amendment (955):

On page 1, line 6 of the striking amendment, after "to" strike "ban" and insert "study banning"

On page 1, line 10 of the striking amendment, after "intends" insert "to study ways"

On page 1, at the beginning of line 12 of the striking amendment, strike "requiring that payments for noncontracted providers" and insert "whether payments for noncontracted providers should"

On page 2, line 13 of the striking amendment, after "Balance" strike "bill" means a bill sent" and insert "billing means the practice of sending a bill"

On page 10, line 4 of the striking amendment after "deductibles" strike ", (~~and~~" and insert "~~(, and~~"

On page 10, beginning on line 23 of the striking amendment, after "~~health~~)" strike "as provided in sections 4 through 15 of this act"

On page 11, after line 21 of the striking amendment, insert the following:

"NEW SECTION. **Sec. 5.** (1) The Washington state institute for public policy shall study ways in which other states have addressed the issue of balance billing. The study shall evaluate the impact of laws affecting balance billing in other states on:

(a) The affordability of health care services to consumers, including both premium costs and out-of-pocket expenses;

(b) The ability of health carriers to maintain adequate provider networks; and

(c) The ability of providers to be adequately and fairly compensated for rendered services.

(2) The Washington state institute for public policy shall make recommendations regarding:

(a) Whether and to what extent balance billing should be prohibited, including the types of services to which any restriction should apply;

(b) Methodologies to calculate health carrier reimbursement for services rendered by out-of-network providers and methodologies to resolve payment disputes

between health carriers and out-of-network providers; and

(c) Ways in which to increase transparency to consumers on the costs of care, including balance billing.

(3) The Washington state institute for public policy shall report its findings and recommendations to the appropriate committees of the legislature by December 1, 2018."

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

On page 11, beginning on line 22 of the striking amendment, strike all of sections 5 through 22

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

On page 25, line 27 of the striking amendment, after "Sections 4" strike "through 16" and insert "and 5"

On page 25, line 30 of the striking amendment, after "through" strike "21 and 23" and insert "3"

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

Representative Cody spoke against the adoption of the amendment.

Amendment (1017) was not adopted.

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

Amendment (955) was adopted.

The bill was ordered engrossed.

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

Representatives Cody, Calder and Orcutt spoke in favor of the passage of the bill.

Representative Schmick spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Engrossed Substitute House Bill No. 2114.

ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute House Bill No. 2114, and the bill

passed the House by the following vote: Yeas, 72; Nays, 26; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Calder, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Hargrove, Harris, Hayes, Holy, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Volz, Walsh, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Chandler, Dye, Eslick, Griffey, Haler, Harmsworth, Irwin, Jenkin, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Maycumber, McCaslin, Nealey, Rodne, Schmick, Shea, Stokesbary, Taylor, Van Werven, Vick and Wilcox.

SECOND ENGROSSED SUBSTITUTE HOUSE BILL NO. 2114, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Second Engrossed Substitute House Bill No. 2114.

Representative Harmsworth, 44 District

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

SECOND READING

HOUSE BILL NO. 2836, by Representatives Jinkins, Harris, Cody, Tharinger, Stonier, Slatter, Clibborn, Macri, Riccelli, Robinson, Valdez, Appleton and Johnson

Delineating charity care and notice requirements without restricting charity care.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2836 was substituted for House Bill No. 2836 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2836 was read the second time.

Representative Jinkins moved the adoption of amendment (1018):

On page 4, line 34, after "The" insert "annual"

On page 4, line 35, after "guidelines" insert "as of the time the health care services were provided, or at the time of application for charity care"

if the application is made within two years of the time of service, the patient has been making good faith efforts towards payment of health care services rendered, and the patient demonstrates eligibility for charity care"

On page 5, line 1, after "(11)" insert "At the hospital's discretion, a hospital may consider applications for charity care at any time, including any time there is a change in a patient's financial circumstances.

(12)"

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

Representatives Jinkins and Graves spoke in favor of the adoption of the amendment.

Amendment (1018) was adopted.

With the consent of the house, amendment (758) was withdrawn.

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 Jinkins and Graves spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2836.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2836, and the bill passed the House by the following vote: Yeas, 92; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, Condotta, DeBolt, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Dent, Jenkin, Manweller, Nealey and Taylor.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2836, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2290, by Representatives Wylie, Harris, Dolan and Stonier

Simplifying the process for donating low-value surplus property owned by a city-owned utility.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2290 was substituted for House Bill No. 2290 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2290 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 Wylie and Griffey spoke in favor of the passage of the bill.

Representative McDonald spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2290.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2290, and the bill passed the House by the following vote: Yeas, 63; Nays, 35; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, Condotta, Doglio, Dolan, Eslick, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Hansen, Harris, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, DeBolt, Dent, Dye, Graves, Haler, Hargrove, Harmsworth, Hayes, Holy, Irwin, Jenkin, Klippert, Kraft, Kretz, Kristiansen, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Rodne, Schmick, Shea, Smith, Stambaugh, Taylor, Van Werven, Vick, Volz, Walsh and Young.

SUBSTITUTE HOUSE BILL NO. 2290, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2774, by Representatives Condotta and Steele

Exempting information relating to the regulation of explosives from public disclosure.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2774 was substituted for House Bill No. 2774 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2774 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 Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2774.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2774, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Graves and Pollet.

SUBSTITUTE HOUSE BILL NO. 2774, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2701, by Representatives Bergquist, Holy, Klippert, Stonier, Lytton, Maycumber, Muri, McDonald and Ortiz-Self

Addressing the definition of veteran.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2701 was substituted for House Bill No. 2701 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2701 was read the second time.

Representative Muri moved the adoption of amendment (1052):

On page 3, line 1, after "Inherent" strike "Freedom" and insert "Resolve"

Representatives Muri and Ryu spoke in favor of the adoption of the amendment.

Amendment (1052) 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 Bergquist and Manweller spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2701.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2701, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2701, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2771, by Representatives Kretz, Maycumber, Taylor, Buys and Shea

Managing wolves using translocation.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2771 was substituted for House Bill No. 2771 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2771 was read the second time.

Representative Lytton moved the adoption of amendment (977):

On page 1, line 18, after "directed" insert "to immediately initiate the state environmental policy act process in order"

On page 1, at the beginning of line 19, strike "immediately"

On page 2, line 1, after "wolves" insert ", consistent with the findings from the state environmental policy act analysis,"

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

Amendment (977) was adopted.

Representative Kretz moved the adoption of amendment (837):

On page 2, line 2, after "department" strike "is to" and insert "shall"

On page 2, line 3, after "sites" insert "and verify that any potential recipient sites contain stable prey populations"

Representatives Kretz and Lytton spoke in favor of the adoption of the amendment.

Amendment (837) 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 Kretz, Lytton and Jinkins spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2771.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2771, and the bill passed the House by the following vote: Yeas, 85; Nays, 13; Absent, 0; Excused, 0.

Voting yea: Representatives Barkis, Bergquist, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Haler, Hansen, Hargrove, Harmsworth, Harris, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Valdez, Van Werven, Vick, Volz, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Appleton, Blake, DeBolt, Eslick, Graves, Griffey, Hayes, McDonald, Orcutt, Rodne, Tharinger, Walsh and Young.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2771, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1987, by Representatives McBride, Macri, Robinson, Stanford, Slatter, Senn, Santos, Chapman, Ortiz-Self and Jinkins

Concerning allowing affordable housing development on religious organization property. Revised for 2nd Substitute: Allowing affordable housing development on religious organization property.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1987 was substituted for House Bill No. 1987 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1987 was read the second time.

Representative Taylor moved the adoption of amendment (1002):

On page 4, line 15, after "(d)" insert ", unless the affordable housing development is developed for migrant farmworker housing on lands leased to the religious institution pursuant to subsection (1)(b) of this section."

Representatives Taylor, Taylor (again) and Irwin spoke in favor of the adoption of the amendment.

Representative Ryu spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1002) and the amendment adopted by the following vote: Yeas, 46; Nays, 52; Absent, 0; Excused, 0.

Voting yea: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

Voting nay: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Wylie and Mr. Speaker. .

Amendment (1002) 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 McBride, Barkis, Irwin and Walsh spoke in favor of the passage of the bill.

Representatives Jenkin, Taylor, Maycumber and Buys spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1987.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1987, and the bill passed the House by the following vote: Yeas, 74; Nays, 24; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chapman, Clibborn, Cody, Dent, Doglio, Dolan, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harris, Hayes, Holy, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Volz, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, DeBolt, Dye, Harmsworth, Jenkin, Kretz, Kristiansen, Maycumber, McCabe, McCaslin, McDonald, Nealey, Orcutt, Pellicciotti, Pike, Schmick, Steele, Taylor, Van Werven, Vick and Young.

SECOND SUBSTITUTE HOUSE BILL NO. 1987, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1063, by Representatives Morris, Lytton, Fitzgibbon, Appleton and Sawyer

Allowing federally recognized tribes with lands held in trust in a county that is west of the Cascade mountain range that borders Puget Sound with a population of at least one hundred eighteen thousand, but less than two hundred fifty thousand, persons to enter into agreements regarding fuel taxes.

The bill was read the second time.

With the consent of the House, the Second Substitute Bill by the Committee on Transportation was not substituted.

With the consent of the House, Substitute House Bill No. 1063 was substituted for House Bill No. 1063 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1063 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 Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1063.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1063, and the bill passed the House by the following vote: Yeas, 52; Nays, 46; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Hayes, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harmsworth, Harris, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

SUBSTITUTE HOUSE BILL NO. 1063, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1063.

Representative Stokesbary, 31 District

SECOND READING

HOUSE BILL NO. 2757, by Representatives Doglio, Tharinger, Walsh, Chapman, Fitzgibbon and Tarleton

Modernizing fuel content standards and references.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2757 was substituted for House Bill No. 2757 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2757 was read the second time.

Representative Doglio moved the adoption of amendment (1044):

On page 5, beginning on line 11, strike all of section 6 and insert the following:

"**Sec. 6.** RCW 19.112.110 and 2013 c 225 s 601 are each amended to read as follows:

(1)(a) ~~Until July 1, 2019, special fuel licensees under chapter 82.38 RCW, as determined by the department of licensing, must provide evidence to the department of licensing that at least two percent of the total annual diesel fuel sold in Washington is biodiesel or renewable diesel fuel (following the earlier of: (a) November 30, 2008; or (b) when a determination is made by the director, published in the Washington State Register, that feedstock grown in Washington state can satisfy a two-percent requirement.~~

~~(2) Special fuel licensees under chapter 82.38 RCW, as determined by the department of licensing, must provide evidence to the department of licensing that at least five percent of total annual diesel fuel sold in Washington is biodiesel or renewable diesel fuel, when the director determines, and publishes this determination in the Washington State Register, that both in-state oil seed crushing capacity and feedstock~~

~~grown in Washington state can satisfy a three percent requirement.~~

~~(3) The requirements of subsections (1) and (2) of this section may take effect no sooner than one hundred eighty days after the determination has been published in the Washington State Register.~~

~~(4) The director and the director of licensing must each adopt rules, in coordination with each other, for enforcing and carrying out the purposes of this section).~~

(b) Beginning July 1, 2019, all diesel fuel sold in Washington by a special fuel licensee must contain a minimum of two percent biomass-based diesel fuel on an annual average basis. Each special fuel licensee must provide evidence to the department of licensing demonstrating attainment of this standard on an annual basis for all diesel fuel sold by the special fuel licensee.

(2) Beginning July 1, 2021, all diesel fuel sold in Washington by a special fuel licensee must contain a minimum of five percent biomass-based diesel fuel on an annual average basis. Each special fuel licensee must provide evidence to the department of licensing demonstrating attainment of this standard on an annual basis for all diesel fuel sold by the special fuel licensee.

(3) The department of licensing shall adopt rules to implement this section, including authority for monthly and annual reporting and recordkeeping requirements for biomass-based diesel fuel, enforcement authority, and penalties in the event of noncompliance by a special fuel licensee with the requirements of this section or the department of licensing's rules. The department of licensing shall adopt rules by December 31, 2018.

(4) For the purposes of this section, "biomass-based diesel fuel" has the same meaning as provided in 40 C.F.R. Sec. 80.1401, as it existed on the effective date of this section."

Representative DeBolt moved the adoption of amendment (1046) to amendment (1044):

On page 2, line 7 of the amendment, after "(3)" insert "Beginning July 1, 2019, biomass-based diesel fuel that is derived from palm oil may not be sold in Washington by a special fuel licensee.

(4) "

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

Representatives DeBolt and Doglio spoke in favor of the adoption of the amendment.

Amendment (1046) was adopted.

Representative Doglio moved the adoption of amendment (1047) to the amendment (1044):

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

"(5) The director shall notify the legislature by December 1, 2020, regarding the types of feedstocks being used to meet the requirements of this section, and may recommend, in consultation with the department of commerce, strategies to increase the production of in-state feedstocks to increase renewable fuel production."

Representatives Doglio and Nealey spoke in favor of the adoption of the amendment.

Amendment (1047) was adopted.

Representatives Doglio and Nealey spoke in favor of the adoption of the amendment as amended.

Amendment (1044) as amended, 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 Doglio, Walsh, Morris and Irwin spoke in favor of the passage of the bill.

Representatives Nealey, Steele, Griffey and Dye spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2757.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2757, and the bill passed the House by the following vote: Yeas, 54; Nays, 44; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Haler, Hansen, Hudgins, Irwin, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby,

Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, Dent, Dye, Eslick, Graves, Griffey, Hargrove, Harmsworth, Harris, Hayes, Holy, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Wilcox and Young.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2757, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2759, by Representatives Doglio, Jinkins, Senn, Pettigrew, Dolan, Hudgins, Stanford, Chapman, Kagi, Appleton, Gregerson, Tarleton, Santos, Kilduff, Pollet, Macri, Frame and Bergquist

Establishing the Washington state women's commission.

The bill was read the second time.

With the consent of the house, amendments (1041), (984), (981) and (980) were withdrawn.

Representative McDonald moved the adoption of amendment (1048).

On page 3, line 11, after "(3)" insert "Include in the first biennial report submitted under section 5 of this act, an analysis of pay inequity based on gender among individuals employed in the office of the governor, and, separately, an analysis of pay inequity based on gender among employees included in the Washington management service;

(4) "

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

Representatives Smith, McDonald and McDonald (again) spoke in favor of the adoption of the amendment.

Representatives Doglio, Senn and Doglio (again) spoke against the adoption of the amendment.

Amendment (1048) was adopted.

Representative Doglio moved the adoption of amendment (957):

On page 4, after line 35, insert the following:

"NEW SECTION. **Sec. 7.** The Washington state women's commission must provide staffing support to the interagency committee of state employed women, a volunteer organization that aims to better the lives of state employees by advising the Governor and agencies on policies that affect state employed women."

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

Representatives Doglio and Irwin spoke in favor of the adoption of the amendment.

Amendment (957) 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 Doglio and McDonald spoke in favor of the passage of the bill.

Representatives Kraft and Caldier spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2759.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2759, and the bill passed the House by the following vote: Yeas, 65; Nays, 33; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Haler, Hansen, Harris, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Chandler, Condotta, Dent, Dye, Griffey, Hargrove, Harmsworth, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Nealey, Pike, Shea, Smith, Taylor, Van Werven, Vick, Volz and Young.

ENGROSSED HOUSE BILL NO. 2759, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2327, by Representatives Morris, Hudgins, Tarleton, Fey, Slatter, Fitzgibbon, Macri, Ormsby and Doglio

Concerning appliance efficiency standards.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2327 was substituted for House Bill No. 2327 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2327 was read the second time.

Representative Morris moved the adoption of amendment (929):

On page 3, line 39, after "tub," strike all material through "water" on line 40 and insert "((supplied with equipment for heating and circulating water)) which may or may not include any combination of integral controls, water heating, or water circulating equipment"

On page 4, line 39, after "amplification" strike "or" and insert "and/or"

On page 5, line 18, after "(22)" strike "Compressor" and insert "Air compressor"

On page 5, line 28, after "television," insert "a device with an integrated primary display that has a screen size of twenty square inches or less,"

On page 6, line 17, after "faucet," strike all material through "kitchen faucet" and insert "public lavatory faucet, or replacement aerator for a lavatory, public lavatory, or kitchen faucet"

On page 7, after line 27, insert the following:

"(38) "Industrial air purifier" means an indoor air cleaning device manufactured, advertised, marketed, labeled, and used solely for industrial use that is marketed solely through industrial supply outlets or businesses and prominently labeled as, "Solely for industrial use. Potential health hazard: Emits ozone."

(39) "Pressure regulator" means a device that maintains constant operating pressure immediately downstream from the device, given higher pressure upstream."

On page 13, at the beginning of line 25, strike all material through "January 1, 2018" on line 28 and insert "in the California Code of Regulations, Title 20, section 1605.3(v) as adopted on May 10, 2017, and amended on November 8, 2017, as measured in accordance with test methods prescribed in section 1604(v) of those regulations"

On page 13, beginning on line 29, after "(12)" strike all material through "431" on line 33 and insert "Air compressors that meet the twelve criteria listed on page 350 to 351 of the "energy conservation standards for air compressors" final rule issued by the United States department of energy on December 5, 2016, shall meet the requirements in table 1 on page 352 following the instructions on page 353 and as measured in accordance with the "uniform test method for certain air compressors" under 10 C.F.R. Part 431 (Appendix A to Subpart T) as in effect on July 3, 2017"

On page 14, line 13, after "430.32" and insert "(n) (4)"

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

Amendment (929) was adopted.

Representative Young moved the adoption of amendment (1055):

On page 18, after line 5, insert the following:

"(7) Any electronic product that may be sold via the internet is exempt from the requirements of RCW 19.260.040 and subsections (5) and (6) of this section, until such time as the state has created a monitoring and enforcement standard that it can implement to prevent sales into the state by out-of-state web-based sales sites."

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

Amendment (1055) 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 Harmsworth spoke in favor of the passage of the bill.

Representative Steele spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2327.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2327, and the bill passed the House by the following vote: Yeas, 53; Nays, 45; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Hansen, Harmsworth, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, McBride, Morris, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Griffey, Haler, Hargrove, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Muri, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2327, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2692, by Representatives Fey, Hayes, Lovick, Rodne, Irwin, Chapman, Stanford, Ortiz-Self, Sawyer, Muri, Kilduff, Smith, Hargrove, Condotta, Jinkins, Goodman and Tarleton

Concerning the minimum monthly salary paid to Washington state patrol troopers and sergeants.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2692 was substituted for House Bill No. 2692 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2692 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, Hayes and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2692.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2692, and the bill passed the House by the following vote: Yeas, 84; Nays, 14; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Caldier, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Hayes, Holy, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Van Werven, Volz, Walsh, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Chandler, Condotta, Graves, Harris, Jenkin, Kretz, McCaslin, Nealey, Orcutt, Shea, Taylor, Vick and Young.

SUBSTITUTE HOUSE BILL NO. 2692, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2696, by Representatives Valdez, Orcutt, Eslick and Jinkins

Concerning medical certificate requirements for applicants and holders of commercial drivers' licenses and commercial learners' permits.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2696 was substituted for House Bill No. 2696 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2696 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 Valdez and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2696.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2696, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 2696, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2723, by Representatives Shea, Eslick and Condotta

Modifying the types of off-road vehicles subject to local government regulation.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2723 was substituted for House Bill No. 2723 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2723 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 Shea, Clibborn and Eslick spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2723.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2723, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth,

Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 2723, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2775, by Representatives Lovick, Haler and Young

Clarifying the required color of certain lamps on vehicles.

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2775.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2775, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 2775, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2975, by Representatives McCabe, Wylie, Orcutt, Irwin, Chapman, Goodman and Griffey

Concerning snow bikes.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2975 was substituted for House Bill No. 2975 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2975 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 McCabe and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2975.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2975, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 2975, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2358, by Representatives Sawyer, Lytton and Appleton

Clarifying marijuana-related definitions.

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 Sawyer and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2358.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2358, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representative DeBolt.

HOUSE BILL NO. 2358, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2818, by Representatives Frame, Irwin, Chapman, Senn, Sells, Sawyer, Appleton, Fitzgibbon, Macri and Stanford

Concerning the appointment of religious coordinators.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2818 was substituted for House Bill No. 2818 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2818 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 Frame and McDonald spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2818.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2818, and the bill passed the House by the following vote: Yeas, 66; Nays, 32; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Chandler, Chapman, Clibborn, Cody, DeBolt, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Hansen, Hudgins, Irwin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Lovick, Lytton, MacEwen, Macri, Manweller, McBride, McDonald, Morris, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Buys, Caldier, Condotta, Dent, Dye, Eslick, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Jenkin, Klippert, Kretz, Kristiansen, Maycumber, McCabe, McCaslin, Muri, Nealey, Pike, Schmick, Shea, Smith, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh and Young.

SUBSTITUTE HOUSE BILL NO. 2818, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2718, by Representatives Shea and Goodman

Concerning seizure and forfeiture procedures and reporting.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2718 was substituted for House Bill No. 2718 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2718 was read the second time.

Representative Shea moved the adoption of amendment (1001):

On page 2, line 13, after "within" strike "forty-five" and insert "sixty"

On page 2, line 14, after "property and" strike "ninety" and insert "one hundred twenty"

On page 2, line 22, after "within" strike "forty-five" and insert "sixty"

On page 2, line 23, after "property and" strike "ninety" and insert "one hundred twenty"

On page 2, line 28, after "within the" strike "forty-five" and insert "sixty"

On page 2, line 30, after "within the" strike "ninety-day" and insert "one hundred twenty day"

On page 2, beginning on line 32, after "before" strike all material through "designee" on line 34 and insert "a hearing officer who is not in the direct chain of command of the chief law enforcement officer of the seizing agency"

On page 2, line 35, after "before" insert "a hearing officer who is not in the direct chain of command of"

On page 5, line 21, after "may" insert ", after satisfying any court ordered restitution"

On page 8, line 15, after "(7)" insert "The state treasurer may recover its costs under this chapter by charging a fee to seizing agencies filing a report. The agency may use forfeiture proceeds to pay the costs of compiling and reporting data under this chapter, and to pay any fees imposed by the state treasurer.

(8)"

On page 24, after line 25, insert the following:

"(4) When property is seized under this chapter and forfeited pursuant to the new chapter created in section 17 of this act, the seizing agency must first satisfy any court ordered victim restitution before retaining, using, selling, or taking other action with respect to the property as permitted under section 4 of this act."

On page 26, after line 36, insert the following:

"(5) (a) When property is seized under this chapter and forfeited pursuant to the new chapter created in section 17 of this act, the seizing agency must first satisfy any court ordered victim restitution before retaining, using, selling, or taking other action with respect to the property as permitted under section 4 of this act."

(b) Within one hundred twenty days after the entry of an order of forfeiture, each seizing agency shall remit to, if known, the victim of the crime involving

the seized property, an amount equal to fifty percent of the net proceeds of any property forfeited."

On page 41, line 17, after "within" strike "forty-five" and insert "~~((forty-five))~~ sixty"

On page 41, line 18, after "property and" strike "ninety" and insert "~~((ninety))~~ one hundred twenty"

On page 41, line 27, after "within" strike "forty-five" and insert "~~((forty-five))~~ sixty"

On page 41, line 28, after "property and" strike "ninety" and insert "~~((ninety))~~ one hundred twenty"

On page 41, at the beginning of line 34, after "the" strike "forty-five" and insert "~~((forty-five))~~ sixty"

On page 41, line 35, after "within the" strike "ninety-day" and insert "~~((ninety-day))~~ one hundred twenty day"

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

Amendment (1001) 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 Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2718.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2718, and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Holy, Hudgins, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford,

Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Hayes, Irwin and Klippert.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2718, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2561, by Representatives Dent, Blake, Dye, Doglio, Johnson, Peterson and Eslick

Concerning temporary duties for the wildland fire advisory committee.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2561 was substituted for House Bill No. 2561 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2561 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 Dent and Blake spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2561.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2561, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 2561, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1953, by Representatives Dolan, Gregerson, Sells, Doglio, Ormsby and Kilduff

Addressing maximum penalties under the Washington industrial safety and health act.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1953 was substituted for House Bill No. 1953 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1953 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 Dolan and McCabe spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1953.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1953, and the bill passed the House by the following vote: Yeas, 53; Nays, 45; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Chapman, Clibborn, Cody, Doglio, Dolan, Fey, Fitzgibbon, Frame, Goodman, Gregerson, Griffey, Hansen, Hudgins, Jinkins, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, MacEwen, Macri, McBride, Morris, Muri, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Caldier, Chandler, Condotta, DeBolt, Dent, Dye, Eslick, Graves, Haler, Hargrove, Harmsworth, Harris, Hayes, Holy, Irwin, Jenkin, Johnson, Klippert, Kraft, Kretz, Kristiansen, Manweller, Maycumber, McCabe, McCaslin, McDonald, Nealey, Orcutt, Pike, Rodne, Schmick, Shea, Smith, Stambaugh, Steele, Stokesbary, Taylor, Van Werven, Vick, Volz, Walsh, Wilcox and Young.

SUBSTITUTE HOUSE BILL NO. 1953, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1482, by Representatives Sawyer, Kagi, Stambaugh, Caldier, Robinson, Springer, Hargrove, Tarleton, Ormsby, Doglio and Stanford

Establishing the legislative-executive WorkFirst poverty reduction oversight task force.

The bill was read the second time.

There being no objection, Third Substitute House Bill No. 1482 was substituted for House Bill No. 1482 and the third substitute bill was placed on the second reading calendar.

THIRD SUBSTITUTE HOUSE BILL NO. 1482 was read the second time.

Representative Kagi moved the adoption of amendment (836):

On page 2, beginning on line 26, strike all of section 3 and insert the following:

"NEW SECTION. **Sec. 3.** A new section is added to chapter 74.08A RCW to read as follows:

(1) (a) A legislative-executive WorkFirst poverty reduction oversight task force is established, with voting members as provided in this subsection. Task force membership shall include diverse, statewide representation and its membership shall reflect regional, racial, and cultural diversity to adequately represent the needs of all children and families in the state.

(i) The president of the senate shall appoint two members from each of the two largest caucuses of the senate.

(ii) The speaker of the house of representatives shall appoint two members from each of the two largest caucuses of the house of representatives.

(iii) The governor shall appoint eight members representing the following agencies: The department of social and health services; the department of children, youth, and families; the department of commerce; the employment security department; the office of the superintendent of public instruction; the department of health; the department of corrections; and the state board for community and technical colleges.

(b) The task force shall choose its cochair, one from among the legislative members and one from among the executive branch members. The secretary of the department of social and health services shall convene the initial meeting of the task force.

(2) The governor shall appoint five nonvoting members to the task force representing the:

(a) Commission on African-American affairs;

(b) State commission on Hispanic affairs;

(c) State commission on Asian Pacific American affairs;

(d) Governor's office of Indian affairs; and

(e) Office of financial management.

(3) The cochair of the intergenerational poverty advisory committee created in section 4 of this act shall serve as nonvoting members of the task force.

(4) The task force shall:

(a) Oversee the partner agencies' operation of the WorkFirst program and temporary assistance for needy families program to ensure that the programs are achieving desired outcomes for their clients;

(b) Determine evidence-based outcome measures for the WorkFirst program, including measures related to equitably serving the needs of historically underrepresented populations, such as English language learners, immigrants, refugees, and other diverse communities;

(c) Develop accountability measures for WorkFirst recipients and the state agencies responsible for their progress toward self-sufficiency;

(d) Collaborate with the advisory committee created in section 4 of this act to develop and monitor strategies to prevent and address adverse childhood experiences and reduce intergenerational poverty;

(e) Seek input on best practices for poverty reduction from service providers, community-based organizations, legislators, state agencies, stakeholders, the business community, and subject matter experts;

(f) Collaborate with partner agencies and the advisory committee to analyze available data and information regarding intergenerational poverty in the state, with a primary focus on data and information regarding children who are at risk of continuing the cycle of poverty and welfare dependency unless outside intervention occurs; and

(g) Recommend policy actions to the governor and the legislature to effectively reduce intergenerational poverty.

(5) (a) The task force shall direct the department of social and health services to develop a five-year and ten-year plan to address intergenerational poverty, subject to oversight and approval by the task force. Upon approval by the task force, the department must submit the first set of plans to the governor and the appropriate committees of the legislature by December 1, 2019.

(b) The task force shall review the five-year and ten-year plans annually and shall direct the department to update the plans as determined necessary by the task force.

(6) The partner agencies must provide the task force with regular reports on:

(a) The partner agencies' progress toward meeting the outcome and performance measures established under this section;

(b) Caseload trends and program expenditures, and the impact of those trends and expenditures on client services, including services to historically underrepresented populations; and

(c) The characteristics of families who have been unsuccessful on the temporary assistance for needy families program and have lost their benefits either through sanction or the sixty-month time limit.

(7) Staff support for the task force, including administration of task force meetings, must be provided by the state agency members of the task force. Additional staff support for legislative members of the task force must be provided by senate committee services and the house of representatives office of program research.

(8) During its tenure, the state agency members of the task force shall respond in a timely manner to data requests from the cochairs.

(9) Legislative members of the task force are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW."

Representative Klippert moved the adoption of amendment (842) to the amendment (836):

On page 2, line 29 of the amendment, after "poverty" insert "and promote and encourage self-sufficiency"

Representatives Klippert and Kagi spoke in favor of the adoption of the amendment.

Amendment (842) was adopted.

Representative Dent moved the adoption of amendment (843) to the amendment (836):

On page 2, beginning on line 31 of the amendment, after "five-year" strike all material through "poverty" on line 32 and insert "plan to reduce intergenerational poverty and promote self-sufficiency"

On page 2, line 34 of the amendment, after "submit the" strike "first set of plans" and insert "plan"

On page 2, beginning on line 36 of the amendment, after "five-year" strike all material through "plans" on line 37 and insert "plan by December 1, 2024, and shall direct the department to update the plan"

Representatives Dent and Kagi spoke in favor of the adoption of the amendment.

Amendment (843) was adopted.

Representatives Kagi and Dent spoke in favor of the adoption of the amendment as amended.

Amendment (836) as amended, 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 Sawyer and Dent spoke in favor of the passage of the bill.

Representative Klippert spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Third Substitute House Bill No. 1482.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Third Substitute House Bill No. 1482, and the bill

passed the House by the following vote: Yeas, 69; Nays, 29; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bergquist, Blake, Caldier, Chandler, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Hansen, Hargrove, Harris, Hudgins, Jinkins, Johnson, Kagi, Kilduff, Kirby, Kloba, Lovick, Lytton, Macri, Manweller, McBride, McCabe, McDonald, Morris, Muri, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Valdez, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Barkis, Buys, Condotta, Dye, Griffey, Haler, Harmsworth, Hayes, Holy, Irwin, Jenkin, Klippert, Kraft, Kretz, Kristiansen, MacEwen, Maycumber, McCaslin, Nealey, Pike, Schmick, Shea, Smith, Taylor, Van Werven, Vick, Volz, Walsh and Young.

ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO. 1482, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2208, by Representative Hudgins

Authorizing criminal background investigations for current and prospective employees and contractors with access to federal tax information.

The bill was read the second time.

Representative Irwin moved the adoption of amendment (979).

On page 2, beginning on line 12, after "management" strike all material through "section" on line 13 and insert "must adopt rules to implement this section, including a specific criteria of information that is needed for background investigation policies and an explanation of the need for such information"

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

Representative Hudgins spoke against the adoption of the amendment.

Amendment (979) 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 Hudgins, McDonald and Irwin spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 2208.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2208, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chandler, Chapman, Clibborn, Cody, Condotta, DeBolt, Dent, Doglio, Dolan, Dye, Eslick, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Johnson, Kagi, Kilduff, Kirby, Klippert, Kloba, Kraft, Kretz, Kristiansen, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McCaslin, McDonald, Morris, Muri, Nealey, Orcutt, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pike, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Schmick, Sells, Senn, Shea, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Valdez, Van Werven, Vick, Volz, Walsh, Wilcox, Wylie, Young and Mr. Speaker.

HOUSE BILL NO. 2208, having received the necessary constitutional majority, was declared passed.

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

REPORTS OF STANDING COMMITTEES

February 9, 2018

ESB 6211

Prime Sponsor, Senator Hawkins: Concerning the federal lands revolving account. (REVISED FOR PASSED LEGISLATURE: Concerning the fish and wildlife federal lands revolving account and the natural resources federal lands revolving account.) Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Chapman, Vice Chair; Buys, Ranking Minority Member; Dent, Assistant Ranking Minority Member; Fitzgibbon; Lytton; Pettigrew and Walsh.

Referred to Committee on Appropriations.

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

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

MOTIONS

There being no objection, the Committee on Finance was relieved of HOUSE BILL NO. 2653, and the bill was referred to the Committee on Rules.

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. 2372
HOUSE BILL NO. 2479

There being no objection, the House adjourned until 9:00 a.m., February 14, 2018, the 38 Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk

Draft

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2938		6038-S	
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2948		6039	
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2983		6134	
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2988		6140	
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5020		6142-S	
Messages	1	Messages	1
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5213		6175-S	
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5310-S		6187-S	
Messages	1	Messages	1
5407-S2		6188	
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5450		6195-S	
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5539		6205	
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5944-S		6218	
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6231	Introduction & 1st Reading.....	4	6368	Messages	1
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