

## FIFTY NINTH LEGISLATURE - REGULAR SESSION

## THIRTY SEVENTH DAY

House Chamber, Olympia, Tuesday, February 14, 2006

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 flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Katie Hanson and Samantha Herriot. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. Prayer was offered by Pastor Sandra Kreis, St. Christopher's Episcopal Church.

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

## MESSAGE FROM THE SENATE

February 13, 2006

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 6885, and the same is herewith transmitted.

Brad Hendrickson, Deputy Secretary

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

## SECOND READING

**HOUSE BILL NO. 2673, By Representatives Linville, Ericksen, P. Sullivan, Buck, Ericks, Kilmer, Kessler, Grant, Walsh, B. Sullivan, Lantz, Morris, O'Brien, Conway, Morrell and Wallace**

**Providing tools for local infrastructure financing.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2673 was substituted for House Bill No. 2673 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2673 was read the second time.

With the consent of the House, amendment (803) was withdrawn.

Representative McIntire moved the adoption of amendment (931):

Strike everything after the enacting clause and insert the following:

**"PART I  
INTENT AND DEFINITIONS**

NEW SECTION. **Sec. 101.** INTENT. The legislature recognizes that the state as a whole benefits from investment in public infrastructure because it promotes community and economic development. Public investment stimulates business activity and helps create jobs; stimulates the redevelopment of brownfields and blighted areas in the inner city; lowers the cost of housing; and promotes efficient land use. The legislature finds that these activities generate revenue for the state and that it is in the public interest to invest in these projects through a credit against the state sales and use tax and an allocation of property tax revenue to those sponsoring local governments that can demonstrate the expected returns to the state.

NEW SECTION. **Sec. 102.** DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

- (1) "Annual state contribution limit" means five million dollars statewide per fiscal year.
- (2) "Assessed value" means the valuation of taxable real property as placed on the last completed assessment roll.
- (3) "Base year" means the first calendar year following the creation of a revenue development area.
- (4) "Department" means the department of revenue.
- (5) "Demonstration project" means one of the following projects:
  - (a) Port of Walla Walla RailEx infrastructure project;
  - (b) Bellingham waterfront redevelopment project;
  - (c) Covington elementary school redevelopment project;
  - (d) Grays Harbor biomass plant project;
  - (e) Gig Harbor St. Anthony's hospital and retail area infrastructure project;
  - (f) Bothell gateway project.
- (6) "Fiscal year" means the twelve-month period beginning July 1st and ending the following June 30th.
- (7) "Local excise taxes" means local revenues derived from the imposition of sales and use taxes authorized in RCW 82.14.030 at the tax rate that was in effect at the time the revenue development area was created.
- (8) "Local excise tax allocation revenue" means the amount of local excise taxes received by the local government during the measurement year from taxable activity within the revenue development area over and above the amount of local excise taxes

received by the local government during the base year from taxable activity within the revenue development area, except that:

(a) If a sponsoring local government creates a revenue development area and reasonably determines that no activity subject to tax under chapters 82.08 and 82.12 RCW occurred in the twelve months immediately preceding the creation of the revenue development area within the boundaries of the area that became the revenue development area, "local excise tax allocation revenue" means the entire amount of local excise taxes received by the sponsoring local government during a calendar year period beginning with the calendar year immediately following the creation of the revenue development area and continuing with each measurement year thereafter; and

(b) For revenue development areas created in calendar year 2006 that do not meet the requirements in (a) of this subsection, "local excise tax allocation revenue" means the amount of local excise taxes received by the sponsoring local government during the measurement year from taxable activity within the revenue development area over and above an amount of local excise taxes received by the sponsoring local government during the 2007 base year adjusted by the department for any estimated impacts from retail sales and use tax sourcing changes effective July 1, 2007. The amount of base year adjustment determined by the department is final.

(9) "Local government" means any city, town, county, port district, and for the purpose of this chapter any federally recognized Indian tribe.

(10) "Local infrastructure financing" means the use of revenues received from local excise tax allocation revenues, local property tax allocation revenues, dedicated revenues from local public sources, and revenues received from the local option sales and use tax authorized in section 202 of this act to pay the principal and interest on bonds authorized under section 501 of this act.

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

(12) "Local public sources" means federal and private monetary contributions, and amounts of local excise tax allocation revenues dedicated by participating local governments and local property tax allocation revenues dedicated by participating taxing districts.

(13) "Low-income housing" means residential housing for persons or families who lack the amount of income which is necessary to enable them, without financial assistance, to live in decent, safe, and sanitary dwellings, without overcrowding.

(14) "Measurement year" means a calendar year, beginning with the calendar year following the base year and each calendar year thereafter, that is used annually to measure state and local excise tax allocation revenues.

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

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

(17) "Participating taxing district" means any taxing district levying regular property taxes on real property within a revenue development area, where a sponsoring local government has obtained written agreement for the use of local infrastructure financing to finance all or a portion of the costs of designated public improvements as provided in section 205 of this act.

(18) "Property tax allocation revenue value" means seventy-five percent of any increase in the assessed value of real property in a revenue development area due to the placement of new construction and improvements to property on the assessment rolls after the revenue development area is created, where the new construction or improvements occur entirely after the revenue development area is created. "Property tax allocation revenue value" does not include any increase in the assessed value of real property representing new construction and improvements to property occurring after their initial placement on the assessment rolls, except that for new construction which represents entire buildings, allocation revenue value includes seventy-five percent of any increase in the assessed value of such new construction in the years following its initial placement on the assessment rolls. There is no property tax allocation revenue value if the assessed value of real property in a revenue development area has not increased due to new construction and improvements to property occurring after the revenue development area is created.

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

(20) "Public improvements" means:

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

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

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

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

(22) "Regular property taxes" means regular property taxes as defined in RCW 84.04.140, except: (a) Regular property taxes levied by public utility districts specifically for the purpose of making required payments of principal and interest on general indebtedness; (b) regular property taxes levied by the state for the support of the common schools under RCW 84.52.065; and (c) regular property taxes authorized by RCW 84.55.050 that are limited to a specific

purpose. "Regular property taxes" do not include excess property tax levies that are exempt from the aggregate limits for junior and senior taxing districts as provided in RCW 84.52.043.

(23) "Property tax allocation revenue base value" means the assessed value of real property located within a revenue development area for taxes levied in the year in which the revenue development area is created for collection in the following year, plus one hundred percent of any increase in the assessed value of real property located within a revenue development area that is placed on the assessment rolls after the revenue development area is created, less the property tax allocation revenue value.

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

(25) "Revenue development area" means the geographic area created by a sponsoring local government from which local tax allocation revenues are derived for local infrastructure financing.

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

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

(28) "State contribution" means the lesser of one million dollars or an amount equal to:

(a) The state excise tax allocation revenue and state property tax allocation revenue received by the state during the preceding calendar year;

(b) The amount of local excise tax allocation revenues, local property tax allocation revenues, and revenues from local public sources that are dedicated by a sponsoring local government in the preceding calendar year to the payment of principal and interest on bonds issued under section 501 of this act; or

(c) The amount of project award granted by the department in the notice of approval to use local infrastructure financing under section 202 of this act.

(29) "State excise taxes" means revenues derived from state retail sales and use taxes under chapters 82.08 and 82.12 RCW, less the amount of tax distributions from all taxes imposed on the same taxable events that are credited against the state taxes under chapters 82.08 and 82.12 RCW.

(30) "State excise tax allocation revenue" means the amount of state excise taxes received by the state during the measurement year from taxable activity within the revenue development area over and above the amount of state excise taxes received by the state during the base year from taxable activity within the revenue development area, except that:

(a) If a sponsoring local government creates a revenue development area and reasonably determines that no activity subject to tax under chapters 82.08 and 82.12 RCW occurred in the twelve months immediately preceding the creation of the revenue development area within the boundaries of the area that became the revenue development area, "state excise tax allocation revenue"

means the entire amount of state excise taxes received by the state during a calendar year period beginning with the calendar year immediately following the creation of the revenue development area and continuing with each measurement year thereafter; and

(b) For revenue development areas created in calendar year 2006 that do not meet the requirements in (a) of this subsection, "local excise tax allocation revenue" means the amount of state excise taxes received by the state during the measurement year from taxable activity within the revenue development area over and above an amount of state excise taxes received by the state during the 2007 base year adjusted by the department for any estimated impacts from retail sales and use tax sourcing changes effective July 1, 2007. The amount of base year adjustment determined by the department is final.

(31) "State property tax allocation revenue" means those tax revenues derived from the imposition of property taxes levied by the state for the support of common schools under RCW 84.52.065 on the property tax allocation revenue value.

(32) "Taxing authority" means a governmental entity that imposes a sales or use tax under chapter 82.14 RCW upon the occurrence of any taxable event within a proposed or approved revenue development area.

(33) "Urban growth area" has the same meaning as provided in chapter 36.70A RCW.

## PART II

### LOCAL INFRASTRUCTURE FINANCING TOOL

**NEW SECTION. Sec. 201. CREATION OF THE LOCAL INFRASTRUCTURE FINANCING TOOL PROGRAM.** The local infrastructure financing tool program is created to assist local governments in financing authorized public infrastructure projects designed to promote economic development in the jurisdiction. The local infrastructure financing tool program is not created to enable existing Washington-based businesses from outside a revenue development area to relocate into a revenue development area.

**NEW SECTION. Sec. 202. LOCAL INFRASTRUCTURE FINANCING TOOL PROGRAM APPLICATION.** (1) Prior to applying to the department to use local infrastructure financing, a sponsoring local government shall:

(a) Designate a revenue development area within the limitations in section 203 of this act;

(b) Certify that the conditions in section 204 of this act are met;

(c) Complete the process in section 205 of this act;

(d) Provide public notice as required in section 207 of this act; and

(e) Pass an ordinance adopting the revenue development area as required in section 206 of this act.

(2) The department shall approve applications on a first-in-time basis. The application shall be in a form and manner prescribed by the department and include but not be limited to information supporting that the applicant is an eligible candidate to impose the local sales and use tax under section 401 of this act, the anticipated effective date for imposing the tax, the estimated number of years that the tax will be imposed, and the estimated amount of tax revenue to be received in each fiscal year that the tax will be imposed. The department shall make available forms to be used for this purpose. As part of the application, each sponsoring local government must provide to the department a copy of the ordinance or ordinances creating the revenue development area as required in section 206 of this act. The department shall rule on completed applications within

sixty days of receipt. A notice of approval to use local infrastructure financing shall contain a maximum amount of project award that represents the amount of state contribution that the applicant can earn each year that local infrastructure financing is used. The total of all project awards shall not exceed the annual state contribution limit. The determination of a project award shall be made based on information contained in the application and the remaining amount of annual state contribution limit to be awarded. Determination of a project award by the department is final.

(3) Beginning August 1, 2006, the department may begin accepting applications from sponsoring local governments that have a demonstration project within the boundaries of the revenue development area. No new applications shall be considered by the department after the earlier of September 30, 2008, or the date the entire annual state contribution limit is awarded.

(4) A revenue development area is considered created when the sponsoring local government, including any cosponsoring local government, has adopted an ordinance creating the revenue development area and the department has approved the sponsoring local government to use local infrastructure financing. If a sponsoring local government receives approval from the department after the fifteenth day of October to use local infrastructure financing, the revenue development area is considered created in the calendar year following the approval. Once the department has approved the sponsoring local government to use local infrastructure financing, notification shall be sent to the sponsoring local government authorizing the sponsoring local government to impose the local sales and use tax, subject to the conditions in section 401 of this act.

(5) The department may adopt any rules under chapter 34.05 RCW it considers necessary for the administration of this chapter.

**NEW SECTION. Sec. 203. LIMITATIONS ON REVENUE DEVELOPMENT AREAS.** The designation of a revenue development area is subject to the following limitations:

(1) The taxable real property within the revenue development area boundaries may not exceed one billion dollars in assessed value at the time the revenue development area is designated;

(2) The average assessed value per square foot of taxable land within the revenue development area boundaries may not exceed seventy dollars at the time the revenue development area is designated;

(3) No more than one revenue development area may be created in a county;

(4) A revenue development area is limited to contiguous tracts, lots, pieces, or parcels of land without the creation of islands of property not included in the revenue development area;

(5) The boundaries may not be drawn to purposely exclude parcels where economic growth is unlikely to occur;

(6) The public improvements financed through local infrastructure financing must be located in the revenue development area;

(7) A revenue development area cannot comprise an area containing more than twenty-five percent of the total assessed value of the taxable real property within the boundaries of the sponsoring local government, including any cosponsoring local government, at the time the revenue development area is designated; and

(8) The boundaries of the revenue development area shall not be changed for the time period that local infrastructure financing is used.

**NEW SECTION. Sec. 204. CONDITIONS.** The use of local infrastructure financing under this chapter is subject to the following conditions:

(1) No funds may be used to finance, design, acquire, construct, equip, operate, maintain, remodel, repair, or reequip public facilities funded with taxes collected under RCW 82.14.048;

(2)(a) Except as provided in (b) of this subsection no funds may be used for public improvements other than projects identified within the capital facilities, utilities, housing, or transportation element of a comprehensive plan required under chapter 36.70A RCW;

(b) Funds may be used for public improvements that are historical preservation activities as defined in RCW 39.89.020;

(3) The public improvements proposed to be financed in whole or in part using local infrastructure financing are expected to encourage private development within the revenue development area and to increase the fair market value of real property within the revenue development area;

(4) A sponsoring local government or participating local government has entered or expects to enter into a contract with a private developer relating to the development of private improvements within the revenue development area or has received a letter of intent from a private developer relating to the developer's plans for the development of private improvements within the revenue development area;

(5) Private development that is anticipated to occur within the revenue development area, as a result of the public improvements, will be consistent with the countywide planning policy adopted by the county under RCW 36.70A.210 and the local government's comprehensive plan and development regulations adopted under chapter 36.70A RCW;

(6) The governing body of the sponsoring local government must make a finding that local infrastructure financing:

(a) Is not expected to be used for the purpose of relocating a business from outside the revenue development area, but within this state, into the revenue development area; and

(b) Will improve the viability of existing business entities within the revenue development area;

(7) The governing body of the sponsoring local government finds that the public improvements proposed to be financed in whole or in part using local infrastructure financing are reasonably likely to:

(a) Increase private residential and commercial investment within the revenue development area;

(b) Increase employment within the revenue development area;

(c) Improve the viability of existing communities that are based on mixed-use development within the revenue development area; and

(d) Generate, over the period of time that the local option sales and use tax will be imposed under section 401 of this act, state excise tax allocation revenues and state property tax allocation revenues derived from the revenue development area that are equal to or greater than the respective state contributions made under this chapter;

(8) The sponsoring local government may only use local infrastructure financing in areas deemed in need of economic development or redevelopment within boundaries of the sponsoring local government.

**NEW SECTION. Sec. 205. PROCESS.** Before adopting an ordinance creating the revenue development area, a sponsoring local government must:

(1) Obtain written agreement from any participating local government and participating taxing district to use dedicated amounts of revenues from local public sources, local excise tax allocation revenues, and local property tax allocation revenues, in whole or in part, for local infrastructure financing authorized under this chapter. The agreement to opt into the local infrastructure financing public

improvement project must be authorized by the governing body of such participating local government and participating taxing district;

(2) Estimate the impact of the revenue development area on small business and low-income housing and develop a mitigation plan for the impacted businesses and housing. In analyzing the impact of the revenue development area, the sponsoring local government must develop:

(a) An inventory of existing low-income housing units, and businesses and retail activity within the revenue development area;

(b) A reasonable estimate of the number of low-income housing units, small businesses, and other commercial activity that may be vulnerable to displacement within the revenue development area;

(c) A reasonable estimate of projected net job growth and net housing growth caused by creation of the revenue development area when compared to the existing jobs or housing balance for the area; and

(d) A reasonable estimate of the impact of net housing growth on the current housing price mix.

**NEW SECTION. Sec. 206. ORDINANCE.** (1) To create a revenue development area, a sponsoring local government must adopt an ordinance establishing the revenue development area that:

(a) Describes the public improvements proposed to be made in the revenue development area;

(b) Describes the boundaries of the revenue development area, subject to the limitations in section 203 of this act;

(c) Estimates the cost of the proposed public improvements and the portion of these costs to be financed by local infrastructure financing;

(d) Estimates the time during which local excise tax allocation revenues, local property tax allocation revenues, and revenues from local public sources are to be used for local infrastructure financing;

(e) Provides the date when the use of local excise tax allocation revenues and local property tax allocation revenues will commence; and

(f) Finds that the conditions in section 204 of this act are met and the findings in section 205 of this act are complete.

(2) The sponsoring local government must hold a public hearing on the proposed financing of the public improvements in whole or in part with local infrastructure financing at least thirty days before passage of the ordinance establishing the revenue development area. The public hearing may be held by either the governing body of the sponsoring local government, or by a committee of that governing body that includes at least a majority of the whole governing body. The public hearing is subject to the notice requirements in section 207 of this act.

(3) The sponsoring local government shall deliver a certified copy of the adopted ordinance to the county treasurer, the governing body of each participating local government within which the revenue development area is located, and the department.

**NEW SECTION. Sec. 207. NOTICE REQUIREMENTS.** Prior to adopting the ordinance creating the revenue development area and to meet the requirements of section 501(1)(b) of this act, a sponsoring local government must provide public notice.

(1) Notice of the public hearing must be published in a legal newspaper of general circulation within the proposed revenue development area at least ten days before the public hearing and posted in at least six conspicuous public places located in the proposed revenue development area.

(2) Notice must also be sent by United States mail to the property owners, all identifiable community-based organizations with

involvement in the proposed revenue development area, and the business enterprises located within the proposed revenue development area at least thirty days prior to the hearing. In implementing provisions under this chapter, the local governing body may also consult with community-based groups, business organizations, including the local chamber of commerce, and the office of minority and women's business enterprises to assist with providing appropriate notice to business enterprises and property owners for whom English is a second language.

(3) Notices must describe the contemplated public improvements, estimate the public improvement costs, describe the portion of the public improvement costs to be borne by local infrastructure financing, describe any other sources of revenue to finance the public improvements, describe the boundaries of the proposed revenue development area, estimate the impact that the public improvements will have on small businesses and low-income housing, and estimate the period during which local infrastructure financing is contemplated to be used.

(4) Notices must inform the public where to obtain the information that shows how the limitations, conditions, and findings required in sections 203 through 205 of this act are met.

(5) The sponsoring local government shall deliver a certified copy of the proposed ordinance to the county treasurer, the governing body of each participating local government within which the revenue development area is located, and the department.

### **PART III TAX ALLOCATION REVENUES**

**NEW SECTION. Sec. 301. LOCAL EXCISE TAX ALLOCATION REVENUES.** (1) A sponsoring local government or participating local government may use annually its local excise tax allocation revenues to finance public improvements in the revenue development area financed in whole or in part by local infrastructure financing. The use of local excise tax allocation revenues dedicated by participating local governments must cease when such allocation revenues are no longer necessary or obligated to pay bonds issued to finance the public improvements in the revenue development area. Any participating taxing authority is authorized to dedicate local excise tax allocation revenues to the sponsoring local government as authorized in section 205(1) of this act.

(2) A sponsoring local government shall provide the department accurate information describing the geographical boundaries of the revenue development area at the time of application. The information shall be provided in an electronic format or manner as prescribed by the department. The sponsoring local government shall ensure that the boundary information provided to the department is kept current.

(3) In the event a city annexes a county area located within a county-sponsored revenue development area, the city shall remit to the county the portion of the local excise tax allocation revenue that the county would have received had the area not been annexed to the county. The city shall remit such revenues until such time as the bonds issued under section 501 of this act are retired.

**NEW SECTION. Sec. 302. LOCAL PROPERTY TAX ALLOCATION REVENUES.** (1) Commencing in the second calendar year following the passage of the ordinance creating a revenue development area and authorizing the use of local infrastructure financing, the county treasurer shall distribute receipts from regular taxes imposed on real property located in the revenue development area as follows:

(a) Each participating taxing district and the sponsoring local government shall receive that portion of its regular property taxes produced by the rate of tax levied by or for the taxing district on the property tax allocation revenue base value for that local infrastructure financing project in the taxing district, or upon the total assessed value of real property in the taxing district, whichever is smaller; and

(b) The sponsoring local government shall receive an additional portion of the regular property taxes levied by it and by or for each participating taxing district upon the property tax allocation revenue value within the revenue development area. However, if there is no property tax allocation revenue value, the sponsoring local government shall not receive any additional regular property taxes under this subsection (1)(b). The sponsoring local government may agree to receive less than the full amount of the additional portion of regular property taxes under this subsection (1)(b) as long as bond debt service, reserve, and other bond covenant requirements are satisfied, in which case the balance of these tax receipts shall be allocated to the participating taxing districts that levied regular property taxes, or have regular property taxes levied for them, in the revenue development area for collection that year in proportion to their regular tax levy rates for collection that year. The sponsoring local government may request that the treasurer transfer this additional portion of the property taxes to its designated agent. The portion of the tax receipts distributed to the sponsoring local government or its agent under this subsection (1)(b) may only be expended to finance public improvement costs associated with the public improvements financed in whole or in part by local infrastructure financing.

(2) The county assessor shall allocate any increase in the assessed value of real property occurring in the revenue development area to the property tax allocation revenue value and property tax allocation revenue base value as appropriate. This section does not authorize revaluations of real property by the assessor for property taxation that are not made in accordance with the assessor's revaluation plan under chapter 84.41 RCW or under other authorized revaluation procedures.

(3) The apportionment of increases in assessed valuation in a revenue development area, and the associated distribution to the sponsoring local government of receipts from regular property taxes that are imposed on the property tax allocation revenue value, must cease when property tax allocation revenues are no longer necessary or obligated to pay the costs of the public improvements. Any excess local property tax allocation revenues derived from regular property taxes and earnings on these tax allocation revenues, remaining at the time the apportionment of tax receipts terminates, must be returned to the county treasurer and distributed to the participating taxing districts that imposed regular property taxes, or had regular property taxes imposed for it, in the revenue development area for collection that year, in proportion to the rates of their regular property tax levies for collection that year.

#### PART IV STATE CONTRIBUTIONS

NEW SECTION. Sec. 401. A new section is added to chapter 82.14 RCW to read as follows:

**SALES AND USE TAX.** (1) A sponsoring local government that has been approved by the department to use local infrastructure financing may impose a sales and use tax in accordance with the terms of this chapter and subject to the criteria set forth in this section. Except as provided in this section, the tax is in addition to other taxes authorized by law and shall be collected from those

persons who are taxable by the state under chapters 82.08 and 82.12 RCW upon the occurrence of any taxable event within the taxing jurisdiction of the sponsoring local government. The rate of tax shall not exceed the rate provided in RCW 82.08.020(1), less the aggregate rates of any other local sales and use taxes imposed on the same taxable events that are credited against the state sales and use taxes imposed under chapters 82.08 and 82.12 RCW. The rate of tax may be changed only on the first day of a fiscal year as needed. Notice of rate changes must be provided to the department on the first day of March to be effective on July 1st of the next fiscal year.

(2) The tax authorized under subsection (1) of this section shall be credited against the state taxes imposed under chapter 82.08 or 82.12 RCW. The department shall perform the collection of such taxes on behalf of the sponsoring local government at no cost to the sponsoring local government and shall remit the taxes as provided in RCW 82.14.060.

(3) No tax may be imposed under this section before July 1, 2008, and before approval by the department under section 202 of this act. Before imposing a tax under this section, the sponsoring local government shall first have received both local excise tax allocation revenues and local property tax allocation revenues during the preceding calendar year. The tax imposed under this section shall expire when the bonds issued under the authority of section 501 of this act are retired, but not more than twenty-five years after the tax is first imposed.

(4) An ordinance adopted by the legislative authority of a sponsoring local government imposing a tax under this section shall provide that:

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

(b) The amount of tax received by the sponsoring local government in any fiscal year shall not exceed the amount of the state contribution;

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

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

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

(iii) The amount of tax received by the sponsoring local government equals the amount of project award granted in the approval notice described in section 202 of this act;

(d) Neither the local excise tax allocation revenues nor the local property tax allocation revenues can be more than eighty percent of the total local funds used to earn the state contribution;

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

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

(5) If a county and city cosponsor a revenue development area, the combined rates of tax shall not exceed the rate provided in RCW 82.08.020(1), less the aggregate rates of any other local sales and use taxes imposed on the same taxable events that are credited against the state sales and use taxes imposed under chapters 82.08 and 82.12 RCW.

(6) The department shall determine the amount of tax receipts distributed to each sponsoring local government imposing sales and use tax under this section and shall advise a sponsoring local government when tax distributions for the fiscal year equal the

amount of state contribution for that fiscal year as provided in subsection (8) of this section. Determinations by the department of the amount of tax distributions attributable to each sponsoring local government are final and shall not be used to challenge the validity of any tax imposed under this section. The department shall remit any tax receipts in excess of the amounts specified in subsection (4)(c) of this section to the state treasurer who shall deposit the money in the general fund.

(7) If a sponsoring local government fails to comply with section 403 of this act, no tax may be distributed in the subsequent fiscal year until such time as the sponsoring local government complies and the department calculates the state contribution amount for such fiscal year.

(8) Each year, the amount of taxes approved by the department for distribution to a sponsoring local government in the next fiscal year shall be the lesser of the amount of the project award in the approval notice described in section 202 of this act or the amount equal to the state contribution. The department shall consider information from reports described in section 403 of this act when determining the amount of state contributions for each fiscal year. A sponsoring local government shall not receive, in any fiscal year, more revenues from taxes imposed under the authority of this section than the amount approved annually by the department. The department shall not approve the receipt of more distributions of sales and use tax under this section to a sponsoring local government than is authorized under subsection (3) of this section.

(9) The amount of tax distributions received from taxes imposed under the authority of this section by all sponsoring local governments is limited annually to not more than five million dollars. The tax distributions shall be available to the sponsoring local government imposing a tax under this section only as long as the sponsoring local government has outstanding indebtedness under section 501 of this act.

(10) The definitions in section 102 of this act apply to this section unless the context clearly requires otherwise.

**NEW SECTION. Sec. 402. USE OF FUNDS.** Money collected from the taxes imposed under section 401 of this act shall be used only for the purpose of principal and interest payments on bonds issued under the authority of section 501 of this act.

**NEW SECTION. Sec. 403. REPORTING REQUIREMENTS.**

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

(a) The amount of local excise tax allocation revenues, and local property tax allocation revenues, taxes under section 401 of this act, and revenues from local public sources received by the sponsoring local government during the preceding calendar year that were dedicated to pay the public improvements financed in whole or in part with local infrastructure financing, and a summary of how these revenues were expended;

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

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

(d) The average wages and benefits received by all employees of businesses locating within the revenue development area as a

result of the public improvements undertaken by the sponsoring local government and financed in whole or in part with local infrastructure financing; and

(e) That the sponsoring local government is in compliance with section 204 of this act.

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

**PART V  
BOND AUTHORIZATION**

**NEW SECTION. Sec. 501. BOND ISSUANCE.** (1) A sponsoring local government that has designated a revenue development area and been authorized the use of local infrastructure financing may incur general indebtedness, and issue general obligation bonds, to finance the public improvements and retire the indebtedness in whole or in part from tax allocation revenues it receives, subject to the following requirements:

(a) The ordinance adopted by the sponsoring local government and authorizing the use of local infrastructure financing indicates an intent to incur this indebtedness and the maximum amount of this indebtedness that is contemplated; and

(b) The local government includes this statement of the intent in all notices required by section 206 of this act.

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

(b) A local government that issues bonds under this section shall not pledge any money received from the state of Washington for the payment of such bonds, other than the local sales and use taxes imposed under the authority of section 401 of this act and collected by the department.

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

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

(5) The local government may annually pay into a fund to be established for the benefit of bonds issued under this section a fixed

proportion or a fixed amount of any local excise tax allocation revenues and local property tax allocation revenues derived from property or business activity within the revenue development area containing the public improvements funded by the bonds, such payment to continue until all bonds payable from the fund are paid in full. The local government may also annually pay into the fund established in this section a fixed proportion or a fixed amount of any revenues derived from taxes imposed under section 401 of this act, such payment to continue until all bonds payable from the fund are paid in full. Revenues derived from taxes imposed under section 401 of this act are subject to the use restriction in section 402 of this act.

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

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

**NEW SECTION. Sec. 502. USE OF TAX REVENUE FOR BOND REPAYMENT.** A sponsoring local government that issues bonds under section 501 of this act to finance public improvements may pledge for the payment of such bonds all or part of any local excise tax allocation revenues and all or part of any local property tax allocation revenues dedicated by the sponsoring local government, any participating taxing authority, or participating taxing district. The local government may also pledge all or part of any revenues derived from taxes imposed under section 401 of this act and held in connection with the public improvements. All of such tax revenues are subject to the use restrictions in sections 202 through 204 of this act, and the process requirements in section 205(1) of this act.

**NEW SECTION. Sec. 503. BONDS ISSUED NOT AN OBLIGATION OF THE STATE OF WASHINGTON.** The bonds issued by a sponsoring local government under section 501 of this act to finance public improvements shall not constitute an obligation of the state of Washington, either general or special.

**NEW SECTION. Sec. 504. GENERAL INDEBTEDNESS--SECURITY.** (1) A sponsoring local government designating a revenue development area and authorizing the use of local infrastructure financing may incur general indebtedness, and issue general obligation bonds, to finance the public improvements and retire the indebtedness in whole or in part from local excise tax allocation revenues and local property tax allocation revenues it receives, subject to the following requirements:

(a) The ordinance adopted by the sponsoring local government creating the revenue development area and authorizing the use of local infrastructure financing indicates an intent to incur this indebtedness and the maximum amount of this indebtedness that is contemplated; and

(b) The sponsoring local government includes this statement of the intent in all notices required by sections 204 and 205 of this act.

(2) The general indebtedness incurred under subsection (1) of this section may be payable from other tax revenues, the full faith and credit of the sponsoring local government, and nontax income, revenues, fees, and rents from the public improvements, as well as contributions, grants, and nontax money available to the sponsoring

local government for payment of costs of the public improvements or associated debt service on the general indebtedness.

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

**NEW SECTION. Sec. 505. REVENUE BONDS.** (1) A sponsoring local government may issue revenue bonds to fund revenue-generating public improvements, or portions of public improvements, that are located within a revenue development area. Whenever revenue bonds are to be issued, the legislative authority of the sponsoring local government shall create or have created a special fund or funds from which, along with any reserves created pursuant to RCW 39.44.140, the principal and interest on these revenue bonds shall exclusively be payable. The legislative authority of the sponsoring local government may obligate the sponsoring local government to set aside and pay into the special fund or funds a fixed proportion or a fixed amount of the revenues from the public improvements that are funded by the revenue bonds. This amount or proportion is a lien and charge against these revenues, subject only to operating and maintenance expenses. The sponsoring local government shall have due regard for the cost of operation and maintenance of the public improvements that are funded by the revenue bonds, and shall not set aside into the special fund or funds a greater amount or proportion of the revenues that in its judgment will be available over and above the cost of maintenance and operation and the amount or proportion, if any, of the revenue previously pledged. The sponsoring local government may also provide that revenue bonds payable out of the same source or sources of revenue may later be issued on a parity with any revenue bonds being issued and sold.

(2) Revenue bonds issued pursuant to this section are not an indebtedness of the sponsoring local government issuing the bonds, and the interest and principal on the bonds shall only be payable from the revenues lawfully pledged to meet the principal and interest requirements and any reserves created pursuant to RCW 39.44.140. The owner or bearer of a revenue bond or any interest coupon issued pursuant to this section shall not have any claim against the sponsoring local government arising from the bond or coupon except for payment from the revenues lawfully pledged to meet the principal and interest requirements and any reserves created pursuant to RCW 39.44.140. The substance of the limitations included in this subsection shall be plainly printed, written, or engraved on each bond issued pursuant to this section.

(3) Revenue bonds with a maturity in excess of twenty-five years shall not be issued. The legislative authority of the sponsoring local government shall by resolution determine for each revenue bond issue the amount, date, form, terms, conditions, denominations, maximum fixed or variable interest rate or rates, maturity or maturities, redemption rights, registration privileges, manner of execution, manner of sale, callable provisions, if any, and covenants including the refunding of existing revenue bonds. Facsimile signatures may be used on the bonds and any coupons. Refunding revenue bonds may be issued in the same manner as revenue bonds are issued.



**NEW SECTION. Sec. 601. JOINT LEGISLATIVE AUDIT AND REVIEW COMMITTEE REPORTS.** Beginning September 1, 2013, and continuing every five years thereafter, the joint legislative audit and review committee shall submit a report to the appropriate committees of the legislature. The report shall, at a minimum, evaluate the effectiveness of the local infrastructure financing tool program, including a project by project review. The report shall include a comparison of the local infrastructure financing revenues received to the incremental improvements in assessed value of the real property located within the revenue development area. The report that is due September 1, 2028, should also include any recommendations regarding whether or not the program should be expanded statewide and what impact the expansion would have on economic development in Washington.

## PART VII MISCELLANEOUS

**NEW SECTION. Sec. 701. DEPARTMENT OF REVENUE EVALUATION.** The department of revenue shall evaluate and periodically report on the implementation of the local infrastructure financing program to the governor and legislature as the department deems appropriate and recommend such amendments, changes in, and modifications of this act as seem proper.

**NEW SECTION. Sec. 702. CAPTIONS.** Captions and part headings used in this act are not any part of the law.

**NEW SECTION. Sec. 703. SEVERABILITY.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

**NEW SECTION. Sec. 704. PORT DISTRICTS.** Nothing in this act shall be construed to give port districts the authority to impose a sales or use tax under chapter 82.14 RCW.

**NEW SECTION. Sec. 705. EFFECTIVE DATE.** This act takes effect July 1, 2006.

**NEW SECTION. Sec. 706. EXPIRATION DATE.** This act expires June 30, 2039.

**NEW SECTION. Sec. 707. NEW CHAPTER.** Sections 101 through 302 and 402 through 601 of this act constitute a new chapter in Title 39 RCW."

Representative Orcutt moved amendment (932) to amendment (931):

On page 1 of the amendment, line 26, strike all of subsection (5) and insert the following:

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

On page 6 of the amendment, line 16, after "the" strike "department" and insert "board"

On page 6 of the amendment, line 27, after "by the" strike "department" and insert "board"

On page 8 of the amendment, line 7, after "the" strike "department" and insert "board"

On page 8 of the amendment, line 17, strike the remainder of the section and insert the following:

(2) As a condition to imposing a sales and use tax under section 301 of this act, a city, town, or county must apply to the board at least one hundred fifty days before the effective date of any such tax. The application shall be in a form and manner prescribed by the board and shall include but is not limited to information establishing that the applicant is eligible to impose such a tax, the anticipated effective date for imposing the tax, the estimated number of years that the tax will be imposed, and the estimated amount of tax revenue to be received in each fiscal year that the tax will be imposed. For purposes of this section, "fiscal year" means the year beginning July 1st and ending the following June 30th. The board shall make available forms to be used for this purpose. As part of the application, a city, town, or county must provide to the board a copy of the ordinance creating the revenue development area as required in section 206 of this act. The board shall rule on completed applications within sixty days of receipt. The board may begin accepting and approving applications August 1, 2006. No new applications shall be considered by the board after the thirtieth day of September of the third year following the year in which the first application was received by the board.

(3) The board shall establish a competitive process to prioritize applications and shall approve any tax that may be imposed under section 401 of this act. The board shall consult with the department of revenue in approving a proposed tax.

(4) The board shall apply the following criteria for evaluation and ranking of applications:

(a) The relative benefits provided to the community by the proposed economic or community development, including employment;

(b) The present level of economic activity in the community and the existing local financial capacity to increase economic activity in the community;

(c) The rate of return of the state's investment, that includes the expected increase in state and local tax revenues associated with the project;

(d) The lack of another timely source of funding available to finance the project which would likely prevent the proposed community or economic development, absent the financing available under this act;

(e) The ability of the project to improve the viability of existing business entities in the project area;

(f) Whether or not the project is a partnership of multiple jurisdictions;

(g) Demonstration that the requested assistance will directly stimulate community and economic development by facilitating the creation of new jobs or the retention of existing jobs; and

(h) The availability of existing assets that applicants may apply to projects.

(5)(a) A proposed tax may not be approved unless the applicant has entered into or expects to enter into a contract with a private developer relating to private investment that will result in the creation or retention of jobs upon completion of the project; and

(b) A proposed tax may not be approved if the expected development will result in the relocation of jobs from another part of the state into the revenue development area, as defined in section 102 of this act.

(6) As a part of the approval of applications under this section, the board shall approve the project award, the amount of tax under

section 401 of this act, that an applicant may impose. The board shall consult with the department of revenue in determining the amount. The amount of tax approved by the board shall not exceed the lesser of one million dollars or the average amount of tax revenue that the applicant estimates that it will receive in all fiscal years through the imposition of a sales and use tax under section 401 of this act. A city, town, or county shall not receive, in any fiscal year, more revenues from taxes imposed under section 401 of this act than the amount approved by the board. The board shall not approve the receipt of more credit against the state sales and use tax than is authorized under subsection (7) of this section.

(7) No more than five million dollars of credit against the state sales and use tax may be received by all cities, towns, and counties in any fiscal year.

(8) The credit against the state sales and use tax shall be available to any city, town, or county imposing a tax under section 401 of this act only as long as the city, town, or county has outstanding indebtedness under section 501 of this act."

Correct internal references accordingly

On page 13 of the amendment, line 9, after "located," insert "the board,"

On page 14 of the amendment, line 7, after "located," insert "the board,"

On page 14 of the amendment, line 22, strike all of subsection (2) and insert the following:

"(2) A sponsoring local government shall provide the board and the department accurate information describing the geographical boundaries of the revenue development area at the time of application. The information shall be provided in an electronic format or manner as prescribed by the department. The sponsoring local government shall ensure that the boundary information provided to the board and the department is kept current."

On p. 16 of the amendment, line 23, after "the" strike "department" and insert "board"

On p. 17 of the amendment, line 10, after "the" strike "department" and insert "board"

On p. 18 of the amendment, line 30, strike all of subsection (8) and insert the following:

"(8) Each year, the amount of taxes approved by the board for distribution to a sponsoring local government in the next fiscal year shall be the lesser of the amount of the project award in the approval notice described in section 202 of this act or the amount equal to the state contribution. The board shall consider information from reports described in section 403 of this act when determining the amount of state contributions for each fiscal year. A sponsoring local government shall not receive, in any fiscal year, more revenues from taxes imposed under the authority of this section than the amount approved annually by the board. The board shall not approve the receipt of more distributions of sales and use tax under this section to a sponsoring local government than is authorized under subsection (3) of this section."

On p. 19 of the amendment, line 11, after "(10)" insert "(a) For the purposes of this section, "Board" means the community economic revitalization board under chapter 43.160 RCW.

(b)"

On p. 19 of the amendment, line 18, after "the" strike "department" and insert "board"

On p. 20 of the amendment, line 6, after "The" strike "department" and insert "board"

On p. 20 of the amendment, line 10, after "to the" strike "department" and insert "board"

Representatives Orcutt and McIntire spoke in favor of the adoption of the amendment to the amendment

The amendment to the amendment was adopted.

The amendment 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 Linville, Orcutt, Santos, Alexander and Dunn spoke in favor of passage of the bill.

Representative Kristiansen 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 Second Substitute House Bill No. 2673.

#### MOTIONS

On motion of Representative Santos, Representative Simpson was excused. On motion of Representative Clements, Representative Anderson was excused.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2673 and the bill passed the House by the following vote: Yeas - 89, Nays - 7, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Clements, Clibborn, Cody, Conway, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Lantz, Linville, Lovick, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Skinner, Sommers, Springer, Strow, Sullivan, B.,

Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 89.

Voting nay: Representatives Chase, Condotta, Cox, Holmquist, Kristiansen, McCoy and Pearson - 7.

Excused: Representatives Anderson and Simpson - 2.

#### POINT OF PERSONAL PRIVILEGE

Representative DeBolt: \*\*\*\*\*

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2673, having received the necessary constitutional majority, was declared passed.

#### HOUSE BILL NO. 2446, By Representatives Buri, Sump and Haler

##### Permitting certain school district substitute employee contracts.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2446 was substituted for House Bill No. 2446 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2446 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 Buri spoke in favor of 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. 2446.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2446 and the bill passed the House by the following vote: Yeas - 95, Nays - 1, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach,

Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 95.

Voting nay: Representative Talcott - 1.

Excused: Representatives Anderson and Simpson - 2.

SUBSTITUTE HOUSE BILL NO. 2446, having received the necessary constitutional majority, was declared passed.

#### HOUSE BILL NO. 2479, By Representatives Haigh, Nixon, Green, Hunt, Haler, Morrell and Upthegrove; by request of Secretary of State

##### Ensuring equipment accessibility for voters with visual impairments.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2479 was substituted for House Bill No. 2479 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2479 was read the second time.

With the consent of the House, amendment (696) was withdrawn.

Representative Nixon moved the adoption of amendment (740):

On page 7, line 21, after "access" strike "consistent with the requirements of RCW 29A.12.160"

On page 8, line 5, after "includes" insert "persons with diverse disabilities and"

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

The amendment 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 Nixon and Haigh spoke in favor of 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. 2479.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2479 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Anderson and Simpson - 2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2479, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2606, By Representatives Curtis, Takko, Orcutt, McDonald, Grant, Hinkle, Clements, Moeller, Chandler, Wallace, Tom, Kretz, Nixon, Blake, Kessler, Rodne, Haigh, B. Sullivan and Morrell**

**Allowing volunteer fire fighter personnel to hold elective or appointed office.**

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 Curtis and Takko spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2606.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2606 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox,

Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Anderson and Simpson - 2.

HOUSE BILL NO. 2606, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2622, By Representatives Blake, Buck, Williams, Chase, Morrell, Buri, Linville, McCoy, Roach, Morris, Flannigan, Newhouse, Eickmeyer, Wallace, B. Sullivan, Dunshee, Nixon, Upthegrove, Conway, Hinkle, Moeller, Condotta and Kretz**

**Modifying concealed pistol license provisions.**

The bill was read the second time.

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

Representatives Blake and Buck spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2622.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2622 and the bill passed the House by the following vote: Yeas - 95, Nays - 1, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells,

Serben, Shabro, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 95.

Voting nay: Representative Dunn - 1.

Excused: Representatives Anderson and Simpson - 2.

HOUSE BILL NO. 2622, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2643, By Representatives Clements, Kenney, Upthegrove and Strow**

**Allowing vehicles with aftermarket hydraulic systems to operate on public roadways.**

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 Clements and Kenney spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2643.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2643 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Anderson and Simpson - 2.

HOUSE BILL NO. 2643, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2678, By Representatives Kagi, Kretz, B. Sullivan and Ericks; by request of Pollution Liability Insurance Agency**

**Reauthorizing the pollution liability insurance agency.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2678 was substituted for House Bill No. 2678 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2678 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 Kagi spoke in favor of 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. 2678.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2678 and the bill passed the House by the following vote: Yeas - 95, Nays - 1, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 95.

Voting nay: Representative Dunn - 1.

Excused: Representatives Anderson and Simpson - 2.

SUBSTITUTE HOUSE BILL NO. 2678, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2713, By Representatives Simpson, Woods and Hunt**

**Clarifying that state and local governing bodies may support or oppose ballot propositions.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2713 was substituted for House Bill No. 2713 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2713 was read the second time.

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

Representatives Haigh, Nixon and Armstrong spoke in favor of passage of the bill.

Representatives Cox and Orcutt 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. 2713.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2713 and the bill passed the House by the following vote: Yeas - 66, Nays - 30, Absent - 0, Excused - 2.

Voting yea: Representatives Alexander, Appleton, Armstrong, Blake, Buck, Chase, Clibborn, Cody, Conway, Darneille, DeBolt, Dickerson, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Nixon, Pettigrew, Priest, Quall, Roberts, Rodne, Santos, Schual-Berke, Sells, Skinner, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 66.

Voting nay: Representatives Ahern, Bailey, Buri, Campbell, Chandler, Clements, Condotta, Cox, Crouse, Curtis, Dunn, Hinkle, Holmquist, Kretz, Kristiansen, Lantz, McCune, McDonald, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Roach, Schindler, Serben, Shabro, Strow, Sump and Talcott - 30.

Excused: Representatives Anderson and Simpson - 2.

SUBSTITUTE HOUSE BILL NO. 2713, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2778, By Representatives Murray, Kristiansen, Dickerson, Clements, Chase, McDonald and Dunn**

**Allowing tax deductions for nonprofit convention and tourism promotion corporations.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2778 was substituted for House Bill No. 2778 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2778 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 Murray and Kristiansen spoke in favor of 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. 2778.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2778 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Anderson and Simpson - 2.

SUBSTITUTE HOUSE BILL NO. 2778, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 3082, By Representatives Rodne, Springer, Priest, Wood, Lantz and Nixon**

**Changing provisions that govern municipal courts.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 3082 was substituted for House Bill No. 3082 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 3082 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 Rodne spoke in favor of 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. 3082.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 3082 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Anderson and Simpson - 2.

SUBSTITUTE HOUSE BILL NO. 3082, having received the necessary constitutional majority, was declared passed.

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

**HOUSE BILL NO. 1849, By Representatives Lovick, Campbell, Simpson, DeBolt, Hinkle and O'Brien**

**Modifying requirements for security guard training.**

The bill was read the second time.

With the consent of the House, amendments (643) and (663) were withdrawn.

Representative Clibborn moved the adoption of amendment (646):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** (1) The legislature finds that the functions served by private security companies and their employees provide important safety for the public and that changes in regulating this profession should be undertaken with a goal of promoting public safety. Therefore, the department of licensing shall undertake a review, using as a guide the requirements of chapter 18.118 RCW to the extent appropriate, of the following:

(a) The need for annual postassignment training of private security guards that covers review and practice of security guard skills taught by department-certified trainers;

(b) Whether various levels of postassignment training may be appropriate for private security guards employed in various types of work, as listed in RCW 18.170.010(18), depending on their assigned duties;

(c) The need for private security companies to maintain records of postassignment training of private security guards and, if so, for what period of time; and

(d) The need for civil penalties to enforce compliance with the training requirements for private security guards.

(2) The department must report the results of the study and its recommendations to the appropriate committees of the legislature by January 1, 2007."

Correct the title.

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

The amendment 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 Lovick and Condotta spoke in favor of passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1849.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1849 and the bill passed the House by the following vote: Yeas - 87, Nays - 9, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Appleton, Bailey, Blake, Buck, Buri, Campbell, Chase, Clements, Clibborn, Cody, Condotta, Conway, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa,

Hinkle, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 87.

Voting nay: Representatives Armstrong, Chandler, Cox, Crouse, Dunn, Holmquist, Kretz, Newhouse and Sump - 9.

Excused: Representatives Anderson and Simpson - 2.

ENGROSSED HOUSE BILL NO. 1849, having received the necessary constitutional majority, was declared passed.

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

There being no objection, the Rules Committee was relieved of HOUSE BILL NO. 2350, and the bill was placed on the Second Reading calendar.

### SECOND READING

**HOUSE BILL NO. 2693, By Representatives Buri, Grant, Holmquist, Haler, Linville, Kretz, McCune and Dunn**

**Exempting out-of-state persons from having to obtain commercial driver's licenses.**

The bill was read the second time.

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

Representative Buri spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2693.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2693 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer,

Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Anderson and Simpson - 2.

HOUSE BILL NO. 2693, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2710, By Representatives Buck and B. Sullivan**

**Clarifying the process for hydraulic permit appeals.**

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 Buck and B. Sullivan spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2710.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2710 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Anderson and Simpson - 2.



HOUSE BILL NO. 2710, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 3099, By Representatives Hudgins, Crouse and Morris**

**Modifying membership of the information services board.**

The bill was read the second time.

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

Representative Hudgins spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 3099.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 3099 and the bill passed the House by the following vote: Yeas - 95, Nays - 1, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 95.

Voting nay: Representative Hunter - 1.

Excused: Representatives Anderson and Simpson - 2.

HOUSE BILL NO. 3099, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 3134, By Representatives Conway, Wood, Chase and Kenney**

**Determining the amount of compensation for temporary or permanent total disability.**

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 Conway and Condotta spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 3134.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 3134 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Anderson and Simpson - 2.

HOUSE BILL NO. 3134, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2680, By Representatives Conway, Fromhold, Lovick, Kenney, Quall, Simpson and Moeller; by request of Select Committee on Pension Policy**

**Purchasing service credit in plan 2 and plan 3 of the teachers' retirement system for public education experience performed as a teacher in a public school in another state or with the federal government.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2680 was substituted for House Bill No. 2680 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2680 was read the second time.

Representative Fromhold moved the adoption of amendment (934):

Beginning on page 3, line 33, after "member shall pay" strike all material through "method" on page 4, line 12, and insert the following:

"the actuarial value of the resulting increase in the member's benefit calculated in a manner consistent with the department's method for calculating payments for reestablishing service credit under RCW 41.50.165"

On page 4, beginning on line 24, after "(5)" strike all material through "section." on line 27

Representatives Fromhold and Bailey spoke in favor of the adoption of the amendment.

The amendment was adopted. The bill was ordered engrossed.

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

Representative Conway spoke in favor of 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. 2680.

#### **ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2680 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Excused: Representatives Anderson and Simpson - 2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2680, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2431, By Representatives Campbell, Morrell, Ericks, Moeller, Springer, B. Sullivan, Simpson, Green, Sells, O'Brien and Lantz**

**Requiring background checks on persons licensed as health care professionals.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2431 was substituted for House Bill No. 2431 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2431 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 Campbell spoke in favor of passage of the bill.

Representative Curtis spoke against the passage of the bill.

#### **2431COLLOQUY**

Representative Cody: "Will an FBI background check be required for all Health professions applying for an initial license who have resided in Washington state for several years?"

Representative Campbell: "No, an FBI background check will only be required for individuals whose State Patrol background check indicates they have a criminal record, or individuals who have recently moved to Washington from another state."

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2431.

#### **ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2431 and the bill passed the House by the following vote: Yeas - 83, Nays - 13, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Appleton, Bailey, Blake, Buck, Campbell, Chase, Clements, Clibborn, Cody, Conway, Curtis, Darneille, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt,

Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Nixon, O'Brien, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 83.

Voting nay: Representatives Alexander, Armstrong, Buri, Chandler, Condotta, Cox, Crouse, DeBolt, Ericksen, Newhouse, Orcutt, Serben and Shabro - 13.

Excused: Representatives Anderson and Simpson - 2.

SUBSTITUTE HOUSE BILL NO. 2431, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2749, By Representatives B. Sullivan, McCoy, Upthegrove, Chase, P. Sullivan, Appleton, Eickmeyer, Newhouse, Miloscia, Dunshee, Conway and Buck**

**Concerning specialized forest products.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2749 was substituted for House Bill No. 2749 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2749 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 B. Sullivan and Buck spoke in favor of 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. 2749.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2749 and the bill passed the House by the following vote: Yeas - 85, Nays - 11, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Appleton, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Conway, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kristiansen, Lantz, Linville, Lovick, McCoy,

McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schual-Berke, Sells, Serben, Shabro, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 85.

Voting nay: Representatives Armstrong, Condotta, Cox, Crouse, Curtis, Ericksen, Holmquist, Kretz, Orcutt, Schindler and Sump - 11.

Excused: Representatives Anderson and Simpson - 2.

SUBSTITUTE HOUSE BILL NO. 2749, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2884, By Representatives Linville and McCoy**

**Concerning the use of reclaimed water.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2884 was substituted for House Bill No. 2884 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2884 was read the second time.

Representative Buri moved the adoption of amendment (915):

On page 2, line 3, after "possible." insert "The final rule package must be presented to the appropriate committees of the legislature by no later than January 1, 2011, and may not take effect unless the legislature passes specific legislation authorizing an effective date for the rules."

On page 2, line 4, after "may" strike ", after the rules are adopted, revise and update the rules on reclaimed water use when deemed necessary by the director of the department" and insert "not update the rules adopted under this section unless specific legislative authority is provided to update the standards"

Representatives Buri and Holmquist spoke in favor of the adoption of the amendment.

Representative Linville spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Buri moved the adoption of amendment (894):

On page 2, line 4, after "may" strike ", after the rules are adopted, revise and update the rules on reclaimed water use when

deemed necessary by the director of the department" and insert "not update the rules adopted under this section unless specific legislative authority is provided to update the standards"

Representatives Buri and Linville spoke in favor of the adoption of the amendment.

The amendment 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 Linville and Buri spoke in favor of 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. 2884.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2884 and the bill passed the House by the following vote: Yeas - 78, Nays - 19, Absent - 0, Excused - 1.

Voting yea: Representatives Appleton, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Curtis, Darneille, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Nixon, O'Brien, Orcutt, Ormsby, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schual-Berke, Sells, Shabro, Simpson, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 78.

Voting nay: Representatives Ahern, Alexander, Armstrong, Clements, Condotta, Cox, Crouse, DeBolt, Hinkle, Holmquist, Kretz, Kristiansen, McCune, Newhouse, Pearson, Schindler, Serben, Skinner and Sump - 19.

Excused: Representative Anderson - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2884, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2765, By Representatives Buri, Clibborn, Nixon, Cox, Serben, Kristiansen, Jarrett, Kilmer, Wallace, Woods, Moeller and Kretz**

**Limiting the posting of hazards to motorcycles to paved roadways.**

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 Buri and Murray spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2765.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2765 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 97.

Excused: Representative Anderson - 1.

HOUSE BILL NO. 2765, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 3285, By Representatives Conway, Chase, Morrell and Wood**

**Raising the exemption for charitable or nonprofit bingo organizations from the gambling tax on bingo and amusement games.**

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 Conway, Orcutt and Nixon spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 3285.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 3285 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 97.

Excused: Representative Anderson - 1.

HOUSE BILL NO. 3285, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 3102, By Representatives B. Sullivan, Buck, Appleton, Eickmeyer, Pearson, Campbell and Hasegawa**

**Providing guidelines for the issuance and renewal of a geoduck diver license and requiring harvesters to help reseed state commercial beds.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 3102 was substituted for House Bill No. 3102 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 3102 was read the second time.

Representative Orcutt moved the adoption of amendment (940):

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

"(7) Licensed geoduck harvesters bear the responsibility for providing the labor and equipment to plant geoduck seed provided by a state or private hatchery onto state commercial beds."

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

Representative Eickmeyer spoke against the adoption of the amendment.

The amendment was not adopted.

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

Representatives B. Sullivan and Buck spoke in favor of passage of the bill.

Representative Orcutt 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. 3102.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 3102 and the bill passed the House by the following vote: Yeas - 79, Nays - 18, Absent - 0, Excused - 1.

Voting yea: Representatives Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Darneille, Dickerson, Dunshee, Eickmeyer, Ericks, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, O'Brien, Ormsby, Pearson, Pettigrew, Priest, Quall, Roberts, Santos, Schindler, Schual-Berke, Sells, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 79.

Voting nay: Representatives Ahern, Chandler, Clements, Cox, Curtis, DeBolt, Dunn, Ericksen, Hinkle, Holmquist, McCune, Newhouse, Nixon, Orcutt, Roach, Rodne, Serben and Talcott - 18.

Excused: Representative Anderson - 1.

SUBSTITUTE HOUSE BILL NO. 3102, having received the necessary constitutional majority, was declared passed.

### MESSAGE FROM THE SENATE

February 14, 2006

Mr. Speaker:

The Senate has passed ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2860, and the same is herewith transmitted.

Thomas Hoemann, Secretary

## SECOND READING

### HOUSE BILL NO. 3278, By Representatives Conway and Dickerson

#### Making adjustments to the unemployment insurance system.

The bill was read the second time.

Representative Conway moved the adoption of amendment (939):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature hereby recognizes that the joint legislative task force on unemployment insurance benefit equity has undertaken a comprehensive review of the unemployment insurance system, but has not yet reached agreement on its findings and recommendations. The legislature therefore intends to extend the deadline by which the task force must report to the legislature.

**Sec. 2.** 2005 c 133 s 9 (uncodified) is amended to read as follows:

(1)(a) The joint legislative task force on unemployment insurance benefit equity is established. The joint legislative task force shall consist of the following members:

(i) The chair and ranking minority member of the senate labor, commerce, research and development committee;

(ii) The chair and ranking minority member of the house commerce and labor committee;

(iii) Four members representing business, selected from nominations submitted by statewide business organizations representing a cross-section of industries and appointed jointly by the president of the senate and the speaker of the house of representatives; and

(iv) Four members representing labor, selected from nominations submitted by statewide labor organizations representing a cross-section of industries and appointed jointly by the president of the senate and the speaker of the house of representatives.

(b) In addition, the employment security department shall cooperate with the task force and maintain a liaison representative, who shall be a nonvoting member. The department shall cooperate with the task force and provide information as the task force may reasonably request.

(2) The task force shall review the unemployment insurance system, including, but not limited to, whether the benefit structure provides for equitable benefits, whether the structure fairly accounts for changes in the work force and industry work patterns, including seasonality, and for claimants' annual work patterns, whether the tax structure provides for an equitable distribution of taxes, and whether the trust fund is adequate in the long term.

(3)(a) The task force shall use legislative facilities, and staff support shall be provided by senate committee services and the house of representatives office of program research. The task force may hire additional staff with specific technical expertise if such expertise is

necessary to carry out the mandates of this study.

(b) Legislative members of the task force shall be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(c) The expenses of the task force shall be paid jointly by the senate and the house of representatives.

(5) The task force shall report its findings and recommendations to the legislature by ~~(January)~~ March 1, 2006.

(6) This section expires July 1, 2006."

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

The amendment 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 Conway and Condotta spoke in favor of 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. 3278.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 3278 and the bill passed the House by the following vote: Yeas - 94, Nays - 3, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood and Mr. Speaker - 94.

Voting nay: Representatives Chandler, Dunn and Woods - 3.

Excused: Representative Anderson - 1.

ENGROSSED HOUSE BILL NO. 3278, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1488, By Representatives Hunter, Priest, Dickerson, Tom, Upthegrove, Jarrett, Springer, McCoy, B. Sullivan, Conway, Simpson, Flannigan, McIntire, Moeller, Chase, Williams, Kenney, Sells, Murray, Fromhold, Pettigrew, Darneille, Lantz, Clibborn, Kagi, Hasegawa, Morrell, McDermott, Hunt, Blake, Campbell, Cody, Hudgins, Ericks, O'Brien and Nixon**

**Prohibiting the sale of products that contain polybrominated diphenyl ethers.**

The bill was read the second time.

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

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

With the consent of the House, amendments (902), (908), (903), (897), (906), (905), (904) and (907) were withdrawn.

Representative Hunter moved the adoption of amendment (832):

Strike everything after the enacting clause and insert the following:

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

(1) "Commercial decabromodiphenylether" means the chemical mixture of decabromodiphenylether, including associated polybrominated diphenyl ether impurities not intentionally added. No single polybrominated diphenyl ether impurity shall exceed one percent by mass of the mixture and the combination of all polybrominated diphenyl ether impurities shall not exceed four percent by mass of the mixture.

(2) "Department" means the department of ecology.

(3) "Electronic enclosure" means the plastic housing that encloses the components of electronic products, including but not limited to televisions and computers.

(4) "Manufacturer" includes any person, firm, association, partnership, corporation, governmental entity, organization, or joint venture that produces a product containing polybrominated diphenyl ethers or an importer or domestic distributor of a noncombustible product containing polybrominated diphenyl ethers. A manufacturer does not include a retailer:

(a) Of a private label brand or cobranding; or

(b) Who assembles components to create a single electronic product based on an individual consumer preference.

(5) "Polybrominated diphenyl ethers" means chemical forms that consist of diphenyl ethers bound with bromine atoms. Polybrominated diphenyl ethers include, but are not limited to, the three primary forms of the commercial mixtures known as pentabromodiphenylether (penta-bde), octabromodiphenylether (octa-bde), and decabromodiphenylether (deca-bde).

(6) "Retailer" means a person who offers a product for sale at retail through any means including, but not limited to, remote offerings such as sales outlets, catalogs, or the internet, but does not include a sale that is a wholesale transaction with a distributor or a retailer. A retailer does not include a person, firm, association, partnership, corporation, governmental entity, organization, or joint venture that both manufactures and sells a product at retail.

(7) "Technically feasible alternative that is available at a reasonable cost" means an alternative that is available at a cost and in sufficient quantity to permit the manufacturer or user to maintain an economically viable product.

(8) "Transportation vehicle" means any mechanized vehicle that is used to transport goods or people including, but not limited to, airplanes, automobiles, motorcycles, trucks, buses, trains, boats, ships, streetcars, or monorail cars.

(9) "Used product" means any product that has been previously owned, purchased, or sold in commerce. "Used product" does not include any product manufactured after January 1, 2007.

**NEW SECTION. Sec. 2.** (1) Except as provided in subsection (2) of this section and sections 3 and 4 of this act, after January 1, 2007, no person may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute for use in this state noncombustible products containing polybrominated diphenyl ethers.

(2) Subsection (1) of this section does not apply to:

(a) Products containing decabromodiphenylether except as provided in section 4 of this act;

(b) The sale or distribution of any used transportation vehicle with component parts containing polybrominated diphenyl ethers;

(c) The sale of any used transportation vehicle parts, or new transportation vehicle parts manufactured before January 1, 2007, that contain polybrominated diphenyl ethers;

(d) The manufacture, sale, repair, distribution, maintenance, refurbishment, or modification of equipment containing polybrominated diphenyl ethers and used primarily for military or federally funded space program applications. This exemption does not cover consumer-based goods with broad applicability;

(e) The sale or distribution by a business, charity, or private party of any used product containing polybrominated diphenyl ethers; or

(f) Medical devices.

(3) In-state retailers in possession of products on January 1, 2007, that are banned for sale under subsection (1) of this section may exhaust their stock through sales to the public.

**NEW SECTION. Sec. 3.** A manufacturer or user of safety systems required by the federal aviation administration may apply for an exemption for a specific use of penta-bde or octa-bde by filing a written petition with the department. Such uses may include the repair or replacement by a manufacturer or user of safety systems required by the federal aviation administration. The exemption may be granted for a term not to exceed eighteen months and may be renewed upon written application if the department finds that the specific use of penta-bde or octa-bde continues to meet the criteria of this section and the manufacturer or other persons comply with the conditions of its original approval. The department may grant an exemption for a specified use of penta-bde or octa-bde with or without conditions upon finding that the petitioner has demonstrated that:

(1) A technically feasible alternative to the use of penta-bde or octa-bde is not available at reasonable cost; or

(2) The potential harm to public health and the environment directly posed by a technically feasible and available alternative is greater than the potential harm posed by penta-bde or octa-bde.

**NEW SECTION. Sec. 4.** (1) Except as provided in subsection (3) of this section and section 5 of this act, after July 1, 2010, no person may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute for use in this state any television or computer that has an electronic enclosure that contains commercial decabromodiphenylether.

(2) Except as provided in subsection (3) of this section and section 5 of this act, after July 1, 2012, no person may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute for use in this state any of the following products:

(a) Upholstered furniture intended for indoor use in a home or other residential occupancy that contains commercial decabromodiphenylether; or

(b) Mattresses and mattress pads that contain commercial decabromodiphenylether.

(3) The following are exempt from subsections (1) and (2) of this section:

(a) The manufacture, sale, repair, distribution, maintenance, refurbishment, or modification of any raw material or component part used in a transportation vehicle or any new transportation vehicle with component parts, including original parts and spare parts, containing commercial decabromodiphenylether;

(b) The use of commercial decabromodiphenylether in the maintenance, refurbishment, or modification of transportation equipment; or

(c) The manufacture, sale, or distribution of any new product or product component consisting of recycled or used materials containing commercial decabromodiphenylether.

**NEW SECTION. Sec. 5.** If the department and the department of health, in consultation with the director of fire protection, find that a safer technically feasible alternative to the use of commercial decabromodiphenylether is not available at reasonable cost, the department and the department of health may jointly by rule grant an exemption to allow for the manufacture, sale, or distribution of products prohibited from manufacture, sale, or distribution under section 4 of this act between July 1, 2010, and July 1, 2012. The department and the department of health may jointly by rule renew the exemption for an additional period of two years if the department and the department of health find that a safer technically feasible alternative to the use of commercial decabromodiphenylether is not available at reasonable cost.

**NEW SECTION. Sec. 6.** Before adoption of a final rule by the department and the department of health in section 5 of this act, the governor shall review the proposed rule to ensure that a safer technically feasible alternative to the use of commercial decabromodiphenylether is not available at reasonable cost. In reviewing the proposed rule, the governor shall consider the important balance between the needs for continuing the use of commercial decabromodiphenylether and protecting public health. Any final rule adopted under section 5 of this act by the departments requires the signature of the governor.

**NEW SECTION. Sec. 7.** By December 15, 2008, the department, the director of fire protection, and the department of health must report to the appropriate committees of the legislature on the availability of safer, technically feasible alternatives for those

products prohibited from the manufacture, sale, or distribution under section 4 of this act and any additional evidence of the potential harm posed by commercial decabromodiphenylether.

**NEW SECTION. Sec. 8.** Nothing in this chapter restricts the ability of a manufacturer, importer, or distributor from transporting products containing polybrominated diphenyl ethers through the state, or storing such products in the state for later distribution outside the state.

**NEW SECTION. Sec. 9.** After January 1, 2007, a manufacturer of products containing a polybrominated diphenyl ether that has been restricted under this chapter must notify persons that sell the manufacturer's products about this chapter.

**NEW SECTION. Sec. 10.** (1) The department and the department of health must review additional uses of commercial decabromodiphenylether.

(2) The department and the department of health must report their findings and recommendations to the appropriate committees of the legislature by December 15, 2007.

**NEW SECTION. Sec. 11.** (1) By January 1, 2007, the department of general administration shall:

(a) Give priority and preference to the purchase of equipment, supplies, and other products that do not contain polybrominated diphenyl ethers; and

(b) Make available for purchase and use by all state agencies only equipment, supplies, and other products that do not contain polybrominated diphenyl ethers.

(2) The department of general administration shall, by January 1, 2007, revise its rules, policies, and guidelines to implement this chapter.

**NEW SECTION. Sec. 12.** (1) Retailers who unknowingly sell products banned under sections 2 and 4 of this act are not liable under this chapter.

(2) In-state retailers in possession of products on January 1, 2010, that are banned for sale under section 4(1) of this act or are in possession of products on January 1, 2012, that are banned for sale under section 4(2) of this act may exhaust their stock through sales to the public.

(3) The department must develop a program to assist in-state retailers in identifying potential products containing polybrominated diphenyl ethers in their inventory before the effective date of product bans under sections 2 and 4 of this act.

(4) If a retailer unknowingly possesses products that are banned for sale under sections 2 and 4 of this act and the manufacturer does not recall the products, the retailer may exhaust its existing stock through sales to the public; however, no additional banned stock may be sold or offered for sale.

**NEW SECTION. Sec. 13.** (1) Enforcement of this chapter shall rely heavily on notification and information exchange between the department and manufacturers. The department shall achieve compliance with this chapter using the following enforcement sequence:

(a) Before the effective date of the product bans in sections 2 and 4 of this act, the department must prepare and distribute information to in-state manufacturers and out-of-state manufacturers, to the maximum extent practicable, to assist them in identifying



products prohibited for manufacture, sale, or distribution under this chapter;

(b) The department may request a certificate of compliance from a manufacturer. A certificate of compliance attests that a manufacturer's product or products meets the requirements of this chapter;

(c) The department must issue a warning letter to a manufacturer that produces, sells, or distributes banned products in violation of this chapter. The department shall offer information or other appropriate assistance to the manufacturer in complying with this chapter. If after one year, compliance is not achieved, penalties must be assessed under subsection (3) of this section.

(2) A manufacturer that produces, sells, or distributes a product prohibited from manufacture, sale, or distribution under this chapter shall recall such products and reimburse the retailer or any other purchaser for the product and any applicable postage and handling for returning the products.

(3) A manufacturer of products containing polybrominated diphenyl ethers in violation of this chapter is punishable by a civil penalty not to exceed one thousand dollars for each violation in the case of a first offense. Manufacturers who are repeat violators are liable for a civil penalty not to exceed five thousand dollars for each repeat offense. Penalties collected under this section must be deposited in the state toxics control account created in RCW 70.105D.070.

**NEW SECTION. Sec. 14.** Sections 1 through 13 of this act constitute a new chapter in Title 70 RCW."

Correct the title.

Representative Armstrong moved the adoption of amendment (863) to amendment (832):

On page 1, after line 2 of the amendment, strike all material through page 7, line 20 and insert the following:

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

(1) "Department" means the department of ecology.

(2) "Electronic enclosure" means the plastic housing that encloses the components of electronic products, including but not limited to televisions and computers.

(3) "Manufacturer" includes any person, firm, association, partnership, corporation, governmental entity, organization, or joint venture that produces a product containing polybrominated diphenyl ethers or an importer or domestic distributor of a noncombustible product containing polybrominated diphenyl ethers. A manufacturer does not include a retailer:

(a) Of a private label brand or cobranding; or

(b) Who assembles components to create a single electronic product based on an individual consumer preference.

(4) "Polybrominated diphenyl ethers" means chemical forms that consist of diphenyl ethers bound with bromine atoms. Polybrominated diphenyl ethers include, but are not limited to, the three primary forms of the commercial mixtures known as pentabromodiphenylether (penta-bde), octabromodiphenylether (octa-bde), and decabromodiphenylether (deca-bde).

(5) "Retailer" means a person who offers a product for sale at retail through any means including, but not limited to, remote offerings such as sales outlets, catalogs, or the internet, but does not include a sale that is a wholesale transaction with a distributor or a

retailer. A retailer does not include a person, firm, association, partnership, corporation, governmental entity, organization, or joint venture that both manufactures and sells a product at retail.

(6) "Safer alternative" means an alternative that has undergone the same level of study as the product it is meant to replace and has been found to have a better toxicity profile and less impact for human health or the environment.

(7) "Technically feasible alternative that is available at a reasonable cost" means an alternative that is available at a cost and in sufficient quantity to permit the manufacturer or user to maintain an economically viable product.

(8) "Transportation vehicle" means any mechanized vehicle that is used to transport goods or people including, but not limited to, airplanes, automobiles, motorcycles, trucks, buses, trains, boats, ships, streetcars, or monorail cars.

(9) "Used product" means any product that has been previously owned, purchased, or sold in commerce. "Used product" does not include any product manufactured after January 1, 2007.

**NEW SECTION. Sec. 2.** (1) Except as provided in subsection (2) of this section and section 3 of this act, after January 1, 2007, no person may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute for use in this state noncombustible products containing more than one percent of pentabromodiphenylether or octabromodiphenylether.

(2) Subsection (1) of this section does not apply to:

(a) Products containing decabromodiphenylether;

(b) Original equipment manufacturer replacement parts;

(c) The processing and disposal of recyclables containing penta-bde or octa-bde in compliance with applicable federal, state, and local laws;

(d) A manufacturer or user of safety systems required by the federal aviation administration;

(e) The manufacture, sale, repair, distribution, maintenance, refurbishment, or modification of any raw material or component part used in a transportation vehicle or any new or used transportation vehicle with component parts, including original parts and spare parts;

(f) The manufacture, sale, repair, distribution, maintenance, refurbishment, or modification of equipment used primarily for military or federally funded space program applications. This exemption does not cover consumer-based goods with broad applicability;

(g) The sale or distribution by a business, charity, or private party of any used product containing polybrominated diphenyl ethers; or

(h) Medical monitoring and control instruments and systems, medical devices, and products as defined in the federal food, drug, and cosmetic act (21 U.S.C. Sec. 301 et seq.).

(3) In-state retailers in possession of products on January 1, 2007, that are banned for sale under subsection (1) of this section may exhaust their stock through sales to the public.

**NEW SECTION. Sec. 3.** A manufacturer or user of safety systems required by the federal aviation administration may apply for an exemption for a specific use of penta-bde or octa-bde by filing a written petition with the department. The exemption may be granted for a term not to exceed eighteen months and may be renewed upon written application if the department finds that the specific use of penta-bde or octa-bde continues to meet the criteria of this section and the manufacturer or other persons comply with the conditions of its original approval. The department may grant an exemption for a

specified use of penta-bde or octa-bde with or without conditions upon finding that the petitioner has demonstrated that:

(1) A technically feasible alternative to the use of penta-bde or octa-bde is not available at reasonable cost; or

(2) The potential harm to public health and the environment directly posed by a technically feasible and available alternative is greater than the potential harm posed by penta-bde or octa-bde.

**NEW SECTION. Sec. 4.** On or about December 15, 2007, the department and the department of health shall submit to the appropriate committees of the legislature a report that reviews and updates the available scientific research on deca-bde, including relevant risk assessments and relevant findings and rulings by the United States environmental protection agency and the European commission, to address the following issues:

(1) The use of deca-bde in products sold in the state;

(2) What human health effects could result from exposure to deca-bde, and are current levels of exposure at levels that could produce these effects;

(3) Any data available on the human body burden or environmental occurrence of deca-bde;

(4) Whether deca-bde breaks down into other chemicals that could pose public health concerns;

(5) The availability of safer, technically feasible alternatives for deca-bde.

**NEW SECTION. Sec. 5.** Nothing in this chapter restricts the ability of a manufacturer, importer, or distributor from transporting products containing polybrominated diphenyl ethers through the state, or storing such products in the state for later distribution outside the state.

**NEW SECTION. Sec. 6.** The department shall develop a program to assist retailers in identifying potential products containing penta-bde and octa-bde in their inventory.

**NEW SECTION. Sec. 7.** A manufacturer of products containing penta-bde and octa-bde in violation of this chapter is punishable by a civil penalty not to exceed one thousand dollars for each violation in the case of a first offense. Manufacturers who are repeat violators are liable for a civil penalty not to exceed five thousand dollars for each repeat offense. Penalties collected under this section must be deposited in the state toxics control account created in RCW 70.105D.070.

**NEW SECTION. Sec. 8.** Sections 1 through 7 of this act constitute a new chapter in Title 70 RCW."

Correct the title.

Representatives Armstrong and Hunter spoke in favor of the adoption of the amendment to the amendment.

The amendment to the amendment was adopted.

Amendment (832) 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 Armstrong and Hunter spoke in favor of passage of the bill.

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

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1488 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 97.

Excused: Representative Anderson - 1.

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

**HOUSE BILL NO. 2843, By Representatives Holmquist, Haigh, Nixon, Green, Schindler, Clements, Sump, Ahern, McDermott, Haler, Chase, Sells, McDonald, Hasegawa, Kenney, Kristiansen, Bailey and McCune**

### Modifying absentee ballot envelope content.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2843 was substituted for House Bill No. 2843 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2843 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 Holmquist, Haigh, Nixon and Ahern spoke in favor of 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. 2843.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2843 and the bill passed the House by the following vote: Yeas - 96, Nays - 1, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hinkle, Holmquist, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Voting nay: Representative Dunn - 1.

Excused: Representative Anderson - 1.

SUBSTITUTE HOUSE BILL NO. 2843, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2876, By Representatives Ericksen, Wood, Dunn, Armstrong and Ericks; by request of Washington State Patrol**

**Clarifying procedures for sound and video recordings by law enforcement officers.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2876 was substituted for House Bill No. 2876 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2876 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 Ericksen and Lantz spoke in favor of 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. 2876.

### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2876 and the bill passed the House by the following vote: Yeas - 93, Nays - 4, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hinkle, Holmquist, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 93.

Voting nay: Representatives Hasegawa, Hudgins, Pettigrew, and Upthegrove - 4.

Excused: Representative Anderson - 1.

SUBSTITUTE HOUSE BILL NO. 2876, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2957, By Representatives Blake, Orcutt, Kessler, Kristiansen and Dunn**

**Extending the expiration date for reporting requirements on timber purchases.**

The bill was read the second time.

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

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2957.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2957 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 97.

Excused: Representative Anderson - 1.

HOUSE BILL NO. 2957, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2879, By Representative McIntire; by request of Department of Revenue**

**Modifying the electronic administration of the real estate excise tax.**

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 McIntire and Orcutt spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2879.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2879 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach,

Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 97.

Excused: Representative Anderson - 1.

HOUSE BILL NO. 2879, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE HOUSE BILL NO. 1834, By House Committee on Appropriations (originally sponsored by Representatives McIntire, Anderson, Kessler, Conway, Fromhold, Clements, Kagi, Linville, Jarrett, Hunter, Tom, Hinkle, Upthegrove, Kilmer, Wood and Santos)**

**Using performance measures for budgeting decisions.**

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1834 was substituted for Substitute House Bill No. 1834 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1834 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 McIntire and Serben spoke in favor of 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. 1834.

**ROLL CALL**

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1834 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach,

Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 97.

Excused: Representative Anderson - 1.

SECOND SUBSTITUTE HOUSE BILL NO. 1834, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2539, By Representatives Schual-Berke, Morrell, Simpson, Roberts, Moeller and Hudgins**

**Concerning disaster medical assistance teams.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2539 was substituted for House Bill No. 2539 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2539 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 Schual-Berke, Hinkle, Curtis, Ahern, Ericksen and Orcutt spoke in favor of 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. 2539.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2539 and the bill passed the House by the following vote: Yeas - 96, Nays - 1, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom,

Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Voting nay: Representative Dunn - 1.

Excused: Representative Anderson - 1.

SUBSTITUTE HOUSE BILL NO. 2539, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2540, By Representatives Schual-Berke and Morrell**

**Revising provisions addressing access to individual health insurance coverage.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2540 was substituted for House Bill No. 2540 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2540 was read the second time.

Representative Cody moved the adoption of amendment (935):

On page 2, line 2, after "select" strike "~~(two)~~ three" and insert "two"

On page 2, line 7, after "remaining" strike "~~(four)~~ three" and insert "four"

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

The amendment was adopted.

Representative Cody moved the adoption of amendment (936):

On page 3, beginning on line 5, strike all of section 2

Renumber the remaining sections consecutively and correct internal references accordingly. Correct the title.

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

The amendment was adopted.

Representative Cody moved the adoption of amendment (937):

On page 18, beginning on line 1, strike all of section 8

Renumber the remaining sections consecutively and correct internal references accordingly.

Correct the title.

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

The amendment 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 Schual-Berke, Hinkle and Armstrong spoke in favor of 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. 2540.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2540 and the bill passed the House by the following vote: Yeas - 96, Nays - 1, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Voting nay: Representative Dunn - 1.

Excused: Representative Anderson - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2540, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2612, By Representatives Kagi, O'Brien, Darneille, Rodne, Kenney, Schual-Berke, Morrell and Springer; by request of Department of Labor & Industries**

**Including failure to secure a load in the first degree as a compensable crime under the crime victims' compensation program.**

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 Kagi, Pearson, Strow and Ahern spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2612.

#### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2612 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 97.

Excused: Representative Anderson - 1.

HOUSE BILL NO. 2612, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 3120, By Representatives Lantz, Priest, Kirby and Williams**

**Concerning notice requirements for tort claims against state and local governments and their officers, employees, or volunteers.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 3120 was substituted for House Bill No. 3120 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 3120 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 Lantz and Priest spoke in favor of 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. 3120.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 3120 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 97.

Excused: Representative Anderson - 1.

SUBSTITUTE HOUSE BILL NO. 3120, having received the necessary constitutional majority, was declared passed.

#### HOUSE BILL NO. 2322, By Representative Ormsby

**Limiting the phosphorus content in dishwashing detergent.**

The bill was read the second time.

Representative Ericksen moved the adoption of amendment (829):

On page 2, line 12, after "((+994))" strike "2007" and insert "2008"

Representatives Ericksen and B. Sullivan spoke in favor of the adoption of the amendment.

The amendment 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 Ormsby and Serben spoke in favor of passage of the bill.

Representatives Buck and Sump 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 House Bill No. 2322.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2322 and the bill passed the House by the following vote: Yeas - 71, Nays - 26, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Appleton, Buri, Campbell, Chase, Clibborn, Cody, Conway, Crouse, Darneille, Dickerson, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Green, Haigh, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kilmer, Kirby, Kretz, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Nixon, O'Brien, Ormsby, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Tom, Upthegrove, Wallace, Williams, Wood and Mr. Speaker - 71.

Voting nay: Representatives Alexander, Armstrong, Bailey, Blake, Buck, Chandler, Clements, Condotta, Cox, Curtis, DeBolt, Dunn, Grant, Hinkle, Holmquist, Kessler, Kristiansen, McDonald, Newhouse, Orcutt, Pearson, Skinner, Sump, Talcott, Walsh and Woods - 26.

Excused: Representative Anderson - 1.

ENGROSSED HOUSE BILL NO. 2322, having received the necessary constitutional majority, was declared passed.

#### RECONSIDERATION OF VOTE

The House immediately reconsidered the vote by which ENGROSSED HOUSE BILL NO. 2322 passed the House.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2322 on reconsideration.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2322 on reconsideration, and the bill passed the House by the following vote: Yeas - 78, Nays - 19, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Bailey, Buri, Campbell, Chase, Clibborn, Cody, Conway, Crouse, Darneille, DeBolt, Dickerson, Dunshee, Ericks, Ericksen, Flannigan, Fromhold, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kilmer, Kirby, Kretz, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Nixon, O'Brien, Ormsby, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Tom, Upthegrove, Wallace, Williams, Wood, Woods and Mr. Speaker - 78.

Voting nay: Representatives Armstrong, Blake, Buck, Chandler, Clements, Condotta, Cox, Curtis, Dunn, Eickmeyer, Grant, Kessler, Kristiansen, Newhouse, Orcutt, Pearson, Sump, Talcott and Walsh - 19.

Excused: Representative Anderson - 1.

ENGROSSED HOUSE BILL NO. 2322, on reconsideration, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2695, By Representatives Haigh, Sump and McDermott**

**Modifying absentee or provisional ballot notice requirements.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2695 was substituted for House Bill No. 2695 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2695 was read the second time.

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

Representatives Haigh and Nixon spoke in favor of 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. 2695.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2695 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 97.

Excused: Representative Anderson - 1.

SUBSTITUTE HOUSE BILL NO. 2695, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2426, By Representative Morris; by request of Utilities & Transportation Commission**

**Modifying utilities and transportation commission provisions.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2426 was substituted for House Bill No. 2426 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2426 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 Crouse spoke in favor of 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. 2426.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute House Bill No. 2426 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.



Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 97.

Excused: Representative Anderson - 1.

SUBSTITUTE HOUSE BILL NO. 2426, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2893, By Representatives Simpson, P. Sullivan, Darneille, Williams, McDonald, McCoy, Morrell, Ericks and Green**

**Concerning restrictions on granting a sex offender visitation under a parenting plan.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2893 was substituted for House Bill No. 2893 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2893 was read the second time.

With the consent of the House, amendment (933) was withdrawn.

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

Representatives Simpson, McDonald, Alexander, Strow and Ahern spoke in favor of 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. 2893.

#### ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2893 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 97.

Excused: Representative Anderson - 1.

SUBSTITUTE HOUSE BILL NO. 2893, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 2056, By House Committee on Commerce & Labor (originally sponsored by Representatives Conway and Wood)**

**Regulating recreational vehicle shows.**

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 Conway, Condotta, Woods and Kristiansen spoke in favor of 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. 2056.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2056 and the bill passed the House by the following vote: Yeas - 94, Nays - 3, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell,

Morris, Murray, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 94.

Voting nay: Representatives DeBolt, Flannigan and Nixon - 3.

Excused: Representative Anderson - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2056, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote YEA on ENGROSSED SUBSTITUTE HOUSE BILL NO. 2056.

RICHARD DEBOLT, 20<sup>th</sup> District

**HOUSE BILL NO. 2668, By Representatives Hudgins, Lovick, Crouse, Upthegrove, B. Sullivan and Sump**

**Modifying provisions regulating certain professional athletic events.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2668 was substituted for House Bill No. 2668 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2668 was read the second time.

Representative Hudgins moved the adoption of amendment (942):

On page 8, beginning on line 3, strike all of section 7

Correct the title.

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

The amendment 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 Hudgins, Condotta, O'Brien spoke in favor of 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. 2668.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2668 and the bill passed the House by the following vote: Yeas - 96, Nays - 1, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 96.

Voting nay: Representative Dunn - 1.

Excused: Representative Anderson - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2668, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2801, By Representatives Chase, Morrell, Hasegawa, McCoy, Sump, Hunt, Hunter, Upthegrove, Pettigrew, Kenney, Roberts, Moeller, Santos, Schual-Berke, Simpson, Kagi and Darneille**

**Authorizing removal of discriminatory provisions in the governing documents of homeowners' associations.**

The bill was read the second time.

Representative Chase moved the adoption of amendment (865):

On page 2, line 15, after "(2)" insert "Upon the board's receipt of a written request by a member of the association that the board exercise its amending authority granted under subsection (1) of this section, the board must, within a reasonable time, amend the governing documents, as provided under this section.

(3)"

Re-number the remaining subsections consecutively.

On page 3, after line 16, insert the following:

"(7) Except as otherwise provided in subsection (2) of this section: (a) Nothing in this section creates a duty on the part of owners, occupants, tenants, associations, or boards to amend the governing documents as provided in this section, or to bring an action as authorized under this section and RCW 49.60.227; and (b) An owner, occupant, tenant, association, or board is not liable for failing to amend the governing documents or to pursue an action in court as authorized under this section and RCW 49.61.227."

Representatives Chase and Tom spoke in favor of the adoption of the amendment.

The amendment 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 Chase and Tom spoke in favor of 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. 2801.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2801 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 97.

Excused: Representative Anderson - 1.

ENGROSSED HOUSE BILL NO. 2801, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 3234, By Representatives Miloscia, Hunt, Darneille, Chase, Holmquist, Santos and Hasegawa**

**Authorizing faith communities to host temporary homeless encampments subject to restrictions.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 3234 was substituted for House Bill No. 3234 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 3234 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 Miloscia and Holmquist spoke in favor of passage of the bill.

Representatives Nixon and Sump spoke against the passage of the bill.

There being no objection, the House deferred action on SUBSTITUTE HOUSE BILL NO. 3234, and the bill held its place on Third Reading.

**HOUSE BILL NO. 2889, By Representatives Woods, Hankins, Murray, Upthegrove, Wallace and Simpson; by request of Freight Mobility Strategic Investment Board**

**Creating the freight mobility multimodal account.**

The bill was read the second time.

Representative Hankins moved the adoption of amendment (709):

On page 9, after line 27, insert the following:

**"NEW SECTION. Sec. 7.** Except for section 4 of this act, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect March 24, 2006."

Correct the title.

Representatives Hankins and Murray spoke in favor of the adoption of the amendment.

The amendment 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 Woods and Murray spoke in favor of 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. 2889.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2889 and the bill passed the House by the following vote: Yeas - 97, Nays - 0, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 97.

Excused: Representative Anderson - 1.

ENGROSSED HOUSE BILL NO. 2889, having received the necessary constitutional majority, was declared passed.

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

### INTRODUCTION & FIRST READING

HB 3310 by Representatives Bailey, Linville, Kessler, Morrell, Clibborn and Morris

AN ACT Relating to health care coverage statutory requirements; and creating new sections.

ESB 5330 by Senators Shin, Rasmussen, Berkey, McAuliffe and Kohl-Welles

AN ACT Relating to economic development grants and assistance; adding a new section to chapter 43.330 RCW; and creating new sections.

Referred to Committee on Economic Development, Agriculture & Trade.

SSB 6133 by Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Rasmussen, Schoesler, Swecker and Pridemore)

AN ACT Relating to Christmas tree grower licensure; amending RCW 15.13.250, 15.13.260, 15.13.265, 15.13.270, 15.13.340, 15.13.370, 15.13.390, 15.13.400, 15.13.420, 15.13.430, 15.13.440, 15.13.455, 15.13.470, and 15.13.490; adding new sections to chapter 15.13 RCW; and providing an expiration date.

Referred to Committee on Economic Development, Agriculture & Trade.

SSB 6168 by Senate Committee on Financial Institutions, Housing & Consumer Protection (originally sponsored by Senators Fairley, Benton, Keiser, Benson, Prentice, Franklin, Brandland, Berkey and Schmidt; by request of Department of Financial Institutions)

AN ACT Relating to business development companies and the participation of financial institutions and nondepository lenders in economic development within the state; amending RCW 31.24.010, 31.24.020, 31.24.030, 31.24.070, 31.24.080, 31.24.090, 31.24.100, 31.24.110, 31.24.120, 31.24.130, 31.24.140, 31.24.150, 31.24.170, 31.24.190, and 31.40.090; adding new sections to chapter 31.24 RCW; adding a new section to chapter 31.35 RCW; adding a new section to chapter 31.40 RCW; and repealing RCW 31.24.040, 31.24.050, 31.24.060, and 31.24.180.

Referred to Committee on Financial Institutions & Insurance.

ESB 6169 by Senators Kohl-Welles, Fairley, Prentice, Schmidt, Keiser, Benson, Kline, Franklin, Pridemore, Poulsen and Esser

AN ACT Relating to discriminatory provisions in the governing documents of homeowners' associations; amending RCW 49.60.227; adding a new section to chapter 64.38 RCW; and creating a new section.

Referred to Committee on Judiciary.

ESSB 6189 by Senate Committee on Health & Long-Term Care (originally sponsored by Senator Keiser)

AN ACT Relating to requiring hospitals to provide information to help patients better understand their hospital bills; adding a new section to chapter 70.41 RCW; and creating a new section.

Referred to Committee on Health Care.

2SSB 6193 by Senate Committee on Ways & Means (originally sponsored by Senators Franklin, Regala, Keiser, Eide, Prentice, Rasmussen,

Jacobsen, Fairley, McAuliffe, Fraser, Brown, Kline, Kohl-Welles, Parlette and Shin)

AN ACT Relating to health professions work force supply and demographics information; adding a new section to chapter 43.70 RCW; creating a new section; and providing an effective date.

Referred to Committee on Health Care.

ESB 6194 by Senators Franklin, Regala, Keiser, Eide, Prentice, Thibaudeau, Jacobsen, Fairley, McAuliffe, Fraser, Spanel, Kline, Kohl-Welles and Shin

AN ACT Relating to multicultural education for health professionals; adding a new section to chapter 18.122 RCW; and creating a new section.

Referred to Committee on Health Care.

SSB 6197 by Senate Committee on Ways & Means (originally sponsored by Senators Franklin, Regala, Eide, Prentice, Fraser, Brown, Kline, Kohl-Welles and Shin)

AN ACT Relating to the creation of the governor's interagency coordinating council on health disparities; amending RCW 43.20.025; adding new sections to chapter 43.20 RCW; and adding a new section to chapter 44.28 RCW.

Referred to Committee on Health Care.

SSB 6223 by Senate Committee on Natural Resources, Ocean & Recreation (originally sponsored by Senators Rockefeller, Regala, Oke, Berkey and Spanel)

AN ACT Relating to derelict or abandoned vessels; amending RCW 79.100.010, 79.100.040, 79.100.060, and 79.100.100; adding new sections to chapter 79.100 RCW; repealing RCW 79.100.090; and prescribing penalties.

Referred to Committee on Natural Resources, Ecology & Parks.

ESSB 6232 by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser and Thibaudeau; by request of Insurance Commissioner)

AN ACT Relating to health carrier information; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health Care.

SSB 6234 by Senate Committee on Financial Institutions, Housing & Consumer Protection (originally sponsored by Senators Fairley, Keiser, Spanel and Esser; by request of Insurance Commissioner)

AN ACT Relating to insurance fraud; amending RCW 48.50.070, 48.50.075, 10.93.020, and 42.56.400; adding a new section to chapter 42.17 RCW; adding a new chapter to Title 48 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

SSB 6287 by Senate Committee on Transportation (originally sponsored by Senators Fairley, Thibaudeau and Shin)

AN ACT Relating to special parking privileges for legally blind persons; and amending RCW 46.16.381.

Referred to Committee on Transportation.

SSB 6308 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Carrell, Stevens, Regala, Schoesler, Schmidt, Oke and Rasmussen)

AN ACT Relating to creating a joint select committee on offenders programs, sentencing, and supervision; creating new sections; and providing an expiration date.

Referred to Committee on Criminal Justice & Corrections.

SSB 6362 by Senate Committee on Government Operations & Elections (originally sponsored by Senators Kohl-Welles, Keiser, Jacobsen and Kline)

AN ACT Relating to modifying processes for challenging voter registration; amending RCW 29A.08.010, 29A.08.112, 29A.08.810, 29A.08.820, 29A.08.840, 29A.08.850, and 29A.40.140; adding a new section to chapter 29A.08 RCW; and repealing RCW 29A.08.830.

Referred to Committee on State Government Operations & Accountability.

SSB 6365 by Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Rasmussen, Schoesler, Jacobsen, Fraser and Shin; by request of Department of Agriculture)

AN ACT Relating to fees for the weights and measures program; amending RCW 19.94.175, 15.80.450, 15.80.490,

and 19.94.2582; creating a new section; and providing an effective date.

Referred to Committee on Economic Development, Agriculture & Trade.

SB 6463 by Senators Fairley and Benton

AN ACT Relating to banks and savings banks; amending RCW 25.15.030 and 25.15.270; adding a new section to chapter 30.08 RCW; and adding a new section to chapter 32.08 RCW.

Referred to Committee on Financial Institutions & Insurance.

E2SSB 6480 by Senate Committee on Transportation (originally sponsored by Senators Kohl-Welles, Haugen, Brown and Keiser; by request of Department of Transportation)

AN ACT Relating to apprenticeship utilization requirements for department of transportation public works projects; amending RCW 39.04.300 and 39.04.320; and adding a new section to chapter 39.04 RCW.

Referred to Committee on Commerce & Labor.

SB 6493 by Senators Kline, Weinstein, Brandland, Hargrove, Oke and Rasmussen

AN ACT Relating to drug courts; and amending RCW 2.28.170.

Referred to Committee on Judiciary.

ESSB 6508 by Senate Committee on Water, Energy & Environment (originally sponsored by Senators Rasmussen, Poulsen, Kline, McCaslin, Brown, Oke, Schmidt, Swecker, Finkbeiner and Kohl-Welles; by request of Governor Gregoire)

AN ACT Relating to developing minimum renewable fuel content requirements and fuel quality standards; amending RCW 19.112.020 and 43.19.642; adding new sections to chapter 19.112 RCW; adding a new section to chapter 43.19 RCW; and creating a new section.

Referred to Committee on Technology, Energy & Communications.

E2SSB 6630 by Senate Committee on Ways & Means (originally sponsored by Senators Kline, Prentice, Keiser, Fairley, Regala, McAuliffe and Kohl-Welles)

AN ACT Relating to establishing the community protection program for persons with developmental disabilities; adding new sections to chapter 71A.12 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on Children & Family Services.

SB 6720 by Senators Brandland, Kohl-Welles, McAuliffe, Hargrove, Rockefeller, Schmidt, Rasmussen, Stevens, Delvin and Roach

AN ACT Relating to reporting requirements for criminal history record information; and amending RCW 43.43.700, 43.43.705, 43.43.715, 43.43.725, 43.43.730, 43.43.735, 43.43.740, and 43.43.810.

Referred to Committee on Criminal Justice & Corrections.

ESSB 6802 by Senate Committee on Water, Energy & Environment (originally sponsored by Senator Brown)

AN ACT Relating to the board of directors of single county air pollution control authorities; and amending RCW 70.94.100 and 70.94.110.

Referred to Committee on Local Government.

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

There being no objection, HOUSE BILL NO. 3310 was read the first time, the rules were suspended and the bill was placed on the Second Reading calendar.

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

## SECOND READING

**HOUSE BILL NO. 3310, By Representatives Bailey, Linville, Kessler, Morrell, Clibborn and Morris**

**Reviewing existing health care coverage statutory requirements.**

The bill was read the second time.

Representative Linville moved the adoption of amendment (950):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds and declares that there has been an ongoing controversy over the costs and benefits of existing health care coverage statutory requirements and their effect on health care insurance costs. It is for this reason that an unbiased, independent analysis of existing health care coverage statutory requirements needs to be conducted. It is not the intent of the legislature to take any actions in relation to the findings of the study until they can be reviewed and analyzed by the legislature, in consultation with the office of the insurance commissioner, health care providers, health carriers, health care purchasers, and health care consumers.

**NEW SECTION. Sec. 2.** The office of the insurance commissioner shall contract for an analysis of existing health care coverage statutory requirements. The office of the insurance commissioner shall:

(1)(a) Contract with a qualified independent and impartial entity that has not taken a public position in the past on the merits or consequences of the adoption of health care coverage statutory requirements; and

(b) Conduct the analysis in two phases:

(i) The first phase of the analysis shall review statutes that mandate that health carriers provide benefits for certain conditions or services, and that require health carriers to offer certain services as an option for individuals or groups purchasing a health benefit plan. For each mandate or requirement, the analysis must address:

(A) The cost of including the mandate or requirement in health benefit plans, and the impact that covering the mandate or requirement has on the utilization of other health services, expressed as a net premium cost or savings per member per month;

(B) A review of available evidence related to the clinical and cost-effectiveness of the mandate or requirement; and

(C) An assessment of whether market demand has already resulted in inclusion of the mandate or requirement in a significant number of health benefit plans in states that do not have such a mandate or requirement; and

(ii) The second phase of the analysis must analyze a sample of at least ten health conditions or chronic illnesses that are prevalent among residents of Washington state. For each health condition or chronic illness, the analysis must include an assessment of the comparative cost and treatment outcomes of treatment provided by health care providers for whom primary treatment of the condition or illness is within their scope of practice.

(2) Submit an interim report on the first phase of the analysis to the governor and appropriate committees of the legislature by December 1, 2006, and a final report by December 1, 2007. The report may include recommendations related to additional issues that should be addressed in the second phase of the analysis.

(3) Submit an interim report on the second phase of the analysis to the governor and appropriate committees of the legislature by December 1, 2007, and a final report by December 1, 2008."

Correct the title.

Representatives Linville and Bailey spoke in favor of the adoption of the amendment.

The amendment 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 Hinkle, Hasegawa and Clibborn spoke in favor of 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. 3310.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 3310 and the bill passed the House by the following vote: Yeas - 95, Nays - 2, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 95.

Voting nay: Representatives Chandler, and Dunn - 2.

Excused: Representative Anderson - 1.

ENGROSSED HOUSE BILL NO. 3310, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 3079, By Representatives Conway, Cody, Sells, Dickerson, Morrell, Simpson, Schual-Berke, Hasegawa, Chase and Santos**

**Reporting on the employment status of recipients of medicaid and the basic health plan.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 3079 was substituted for House Bill No. 3079 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 3079 was read the second time.

Representative Conway moved the adoption of amendment (951):

Strike everything after the enacting clause and insert the following:

**"NEW SECTION, Sec. 1.** A new section is added to chapter 70.47 RCW to read as follows:

(1) The health care authority, in coordination with the department of social and health services, shall prepare a report on basic health plan enrollees under this chapter who are employed by any employer with thirty or more employees who are either basic health plan enrollees or medical assistance recipients. The report shall include the following composite information:

- (a) The number of employees by employer;
- (b) The employee size of the employer;
- (c) The number of employees by industry type;
- (d) The number of hours worked by employees;
- (e) The number of employees with multiple employers;
- (f) The number of employees who were receiving any government assistance prior to being employed;
- (g) The length of time the employee has been employed;
- (h) The number of employees who chose the basic health plan instead of insurance coverage offered by their employer, and why they did so; and

(i) The number of employees referred to the basic health plan by their employer and the number referred by others, including public agencies, relatives, or friends.

(2) The report must be structured so as to identify seasonal variations that may impact the composite information in the report.

(3) The report must include recommendations from the department of social and health services for strategies to reduce state costs associated with providing medical assistance coverage to individuals who are employed on a full-time and year-round basis. The report shall be prepared in consultation with the health care authority and other interested organizations. The following principles shall guide development of the recommendations:

- (a) Employers who have the financial ability to contribute to the cost of health care coverage for their employees should provide such coverage; and
- (b) Reduction of state costs should not come at the expense of depriving low-wage employees of health care coverage.
- (4) The report must be delivered electronically to appropriate committees of the senate and house of representatives annually, commencing no later than November 15, 2006.

**NEW SECTION, Sec. 2.** A new section is added to chapter 74.09 RCW to read as follows:

(1) The department of social and health services, in coordination with the health care authority, shall prepare a report on recipients of medical assistance under this chapter who are employed by any employer with thirty or more employees who are either basic health plan enrollees or medical assistance recipients. The report shall include the following composite information:

- (a) The number of employees by employer;
- (b) The employee size of the employer;
- (c) The number of employees by industry type;
- (d) The number of hours worked by employees;
- (e) The number of employees with multiple employers;
- (f) The number of employees who were receiving any government assistance prior to being employed;
- (g) The length of time the employee has been employed;
- (h) The number of employees who chose receipt of medical assistance instead of insurance coverage offered by their employer, and why they did so; and

(i) The number of employees referred to medical assistance by their employer and the number referred by others, including public agencies, relatives, or friends.

(2) The report must be structured so as to identify seasonal variations that may impact the composite information in the report.

(3) The report must include recommendations from the department of social and health services for strategies to reduce state costs associated with providing medical assistance coverage to individuals who are employed on a full-time and year-round basis. The report shall be prepared in consultation with the health care authority and other interested organizations. The following principles shall guide development of the recommendations:

- (a) Employers who have the financial ability to contribute to the cost of health care coverage for their employees should provide such coverage; and
- (b) Reduction of state costs should not come at the expense of depriving low-wage employees of health care coverage.
- (4) The report must be delivered electronically to appropriate committees of the senate and house of representatives annually, commencing no later than November 15, 2006.

**NEW SECTION, Sec. 3.** If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2006, in the omnibus appropriations act, this act is null and void."

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

Representative Hinkle spoke against the adoption of the amendment.

The amendment 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 Conway, Hinkle, Ericksen, Clements, Green, Upthegrove, Simpson, Bailey, Williams, Armstrong, Springer, Campbell, Kenney, Hasegawa, Cox, Miloscia and Sells spoke in favor of 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. 3079.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 3079 and the bill passed the House by the following vote: Yeas - 94, Nays - 3, Absent - 0, Excused - 1.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee,



Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Jarrett, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Talcott, Tom, Upthegrove, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 94.

Voting nay: Representatives Chandler, Holmquist and Roberts - 3.

Excused: Representative Anderson - 1.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 3079, having received the necessary constitutional majority, was declared passed.

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

There being no objection, the Committee on Criminal Justice & Correction was relieved of further consideration on HOUSE BILL NO. 3293, and the bill was referred to the Committee on Judiciary.

There being no objection, all the bills remaining on the day's Second and Third Reading calendars were returned to the Rules Committee with the exception of HOUSE BILL NO. 2871.

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

There being no objection, the House adjourned until 10:00 a.m., February 15, 2006, the 37th Day of the Regular Session.

FRANK CHOPP, Speaker

RICHARD NAFZIGER, Chief Clerk

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