

FIFTY SECOND DAY

House Chamber, Olympia, Wednesday, March 3, 2010

The House was called to order at 10:00 a.m. by the Speaker (Representative Morris presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Maddie Sullivan and Jenna Orwall. The Speaker (Representative Morris presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Jeff McClain, River Ridge Covenant Church, Lacey.

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

MESSAGES FROM THE SENATE

March 2, 2010

Mr. Speaker:

The Senate has passed:

- SUBSTITUTE HOUSE BILL 1913
- SECOND SUBSTITUTE HOUSE BILL 2396
- SUBSTITUTE HOUSE BILL 2487
- SUBSTITUTE HOUSE BILL 2555
- HOUSE BILL 2608
- SUBSTITUTE HOUSE BILL 2789
- ENGROSSED SUBSTITUTE HOUSE BILL 2842
- HOUSE BILL 2861
- ENGROSSED SUBSTITUTE HOUSE BILL 3032
- SUBSTITUTE HOUSE JOINT MEMORIAL 4004

and the same are herewith transmitted.

Thomas Hoemann, Secretary

March 2, 2010

Mr. Speaker:

The Senate has passed:

- ENGROSSED HOUSE BILL 1653
- SUBSTITUTE HOUSE BILL 2226
- ENGROSSED SUBSTITUTE HOUSE BILL 2560
- SUBSTITUTE HOUSE BILL 2585
- SUBSTITUTE HOUSE BILL 2651
- SUBSTITUTE HOUSE BILL 2704

and the same are herewith transmitted.

Thomas Hoemann, Secretary

March 2, 2010

Mr. Speaker:

The President has signed:

- ENGROSSED SENATE BILL 5041
- SUBSTITUTE SENATE BILL 5046
- ENGROSSED SENATE BILL 5516
- SENATE BILL 5582
- SECOND ENGROSSED SENATE BILL 5617
- SUBSTITUTE SENATE BILL 6197
- SUBSTITUTE SENATE BILL 6211
- SUBSTITUTE SENATE BILL 6213
- SENATE BILL 6227
- SENATE BILL 6229

- SUBSTITUTE SENATE BILL 6239
- SUBSTITUTE SENATE BILL 6251
- SUBSTITUTE SENATE BILL 6271
- SUBSTITUTE SENATE BILL 6273
- SENATE BILL 6275
- ENGROSSED SUBSTITUTE SENATE BILL 6286
- ENGROSSED SENATE BILL 6287
- SENATE BILL 6288
- SENATE BILL 6297
- SUBSTITUTE SENATE BILL 6298
- SUBSTITUTE SENATE BILL 6299
- ENGROSSED SUBSTITUTE SENATE BILL 6306
- SUBSTITUTE SENATE BILL 6337
- SENATE BILL 6365
- SUBSTITUTE SENATE BILL 6367
- SUBSTITUTE SENATE BILL 6371
- SUBSTITUTE SENATE BILL 6395
- SUBSTITUTE SENATE BILL 6398
- SENATE BILL 6450
- SENATE BILL 6467
- SUBSTITUTE SENATE BILL 6524
- SENATE BILL 6543
- SUBSTITUTE SENATE BILL 6544
- SENATE BILL 6546
- SUBSTITUTE SENATE BILL 6584
- SUBSTITUTE SENATE BILL 6591
- SUBSTITUTE SENATE BILL 6634
- SUBSTITUTE SENATE BILL 6674
- SUBSTITUTE SENATE BILL 6749
- SENATE JOINT MEMORIAL 8026

and the same are herewith transmitted.

Thomas Hoemann, Secretary

RESOLUTION

HOUSE RESOLUTION NO. 4676, by Representatives Chandler, Hasegawa, Kenney, Taylor, Johnson, Dammeier, and Ross

WHEREAS, The earliest documented proof of Filipino presence in the continental United States was the date of October 18, 1587, when the first "Luzones Indios" set foot in Morro Bay, California, as published by Lorraine Crouchett in her book, *Filipinos in California* from 1982, which annotated John Walton Caughey's book, *California* from 1953; and

WHEREAS, The Filipino American National Historical Society recognizes the year of 1763 as the date of the first permanent Filipino settlement in the United States in St. Malo Parrish, Louisiana, which set in motion the focus on the story of our nation's past from a new perspective by concentrating on the economic, cultural, social, and other notable contributions that Filipino Americans have made in countless ways toward the development of the United States history; and

WHEREAS, The Filipino American National Historical Society recognizes that the 1888 documents of Port Blakely on Bainbridge Island, Washington - at the time the largest lumber mill in the world - as listing a "Manilla," the first known employee from the Philippines in the Pacific Northwest; and

WHEREAS, It is good that efforts are continuing to promote the study of Filipino American history and culture, as recognized in the mission statement of the Filipino American National Historical Society, because the roles of Filipino Americans and other people of color have been overlooked in the writing, teaching, and learning of United States history; and

WHEREAS, It is important for Filipino American youth to have positive role models to instill in them the importance of education, complemented with the richness of their ethnicity and the value of their legacy; and

WHEREAS, Washington State is home to Filipinos, the largest Asian/Pacific Islander ethnic population in the state, and has the fourth largest population of Filipino Americans in the United States, and includes the locations of historic Filipino communities such as Wapato, Bainbridge Island, Seattle, Tacoma, Auburn, and Bremerton, among others; and

WHEREAS, The 13th Biennial National Conference of the Filipino American National Historical Society returns, in July 2010, to Seattle, the site of the first National Conference;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives acknowledges that October 2010 is the 423rd anniversary of the presence of Filipinos in the United States, as a significant time to study the advancement of Filipino Americans in the history of Washington and the United States; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Filipino American National Historical Society.

Representative Chandler moved adoption of House Resolution No. 4676

Representatives Chandler, Hasegawa, Johnson, Santos, Taylor and O'Brien spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4676 was adopted.

The Speaker (Representative Morris presiding) introduced representatives from the Filipino American National Historic Society, The Commission on Asian Pacific American Affairs, The Filipino American Chamber of Commerce, Filipino American Community of Seattle, The Philippine Scout Heritage Society, The Yakima Valley Filipino Community, Asian Pacific Islander Coalition and former Representative Velma Veloria and asked the Chamber to acknowledge them.

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

SECOND READING

SUBSTITUTE SENATE BILL NO. 6202, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Holmquist, Franklin, Honeyford, McCaslin, Regala, Morton, Keiser, Delvin, Swecker, Rockefeller, Tom, Kline, McAuliffe and Kilmer)

Expanding provisions relating to vulnerable adults.

The bill was read the second time.

With the consent of the House, amendment (1258) was withdrawn.

Representative Hurst moved the adoption of amendment (1296).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 30.22.210 and 1981 c 192 s 21 are each amended to read as follows:

(1) Nothing contained in this chapter shall be deemed to require any financial institution to make any payment from an account to a depositor, or any trust or P.O.D. account beneficiary, or any other person claiming an interest in any funds deposited in the account, if the financial institution has actual knowledge of the existence of a dispute between the depositors, beneficiaries, or other persons concerning their respective rights of ownerships to the funds contained in, or proposed to be withdrawn, or previously withdrawn from the account, or in the event the financial institution is otherwise uncertain as to who is entitled to the funds pursuant to the contract of deposit. In any such case, the financial institution may, without liability, notify, in writing, all depositors, beneficiaries, or other persons claiming an interest in the account of either its uncertainty as to who is entitled to the distributions or the existence of any dispute, and may also, without liability, refuse to disburse any funds contained in the account to any depositor, and/or trust or P.O.D. account beneficiary thereof, and/or other persons claiming an interest therein, until such time as either:

((+)) (a) All such depositors and/or beneficiaries have consented, in writing, to the requested payment; or

((2)) (b) The payment is authorized or directed by a court of proper jurisdiction.

(2) If a financial institution reasonably believes that financial exploitation of a vulnerable adult, as defined in RCW 74.34.020, may have occurred, may have been attempted, or is being attempted, the financial institution may refuse a transaction as permitted under section 3 of this act.

"**Sec. 2.** RCW 74.34.020 and 2007 c 312 s 1 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Abandonment" means action or inaction by a person or entity with a duty of care for a vulnerable adult that leaves the vulnerable person without the means or ability to obtain necessary food, clothing, shelter, or health care.

(2) "Abuse" means the willful action or inaction that inflicts injury, unreasonable confinement, intimidation, or punishment on a vulnerable adult. In instances of abuse of a vulnerable adult who is unable to express or demonstrate physical harm, pain, or mental anguish, the abuse is presumed to cause physical harm, pain, or mental anguish. Abuse includes sexual abuse, mental abuse, physical abuse, and exploitation of a vulnerable adult, which have the following meanings:

(a) "Sexual abuse" means any form of nonconsensual sexual contact, including but not limited to unwanted or inappropriate touching, rape, sodomy, sexual coercion, sexually explicit photographing, and sexual harassment. Sexual abuse includes any sexual contact between a staff person, who is not also a resident or client, of a facility or a staff person of a program authorized under chapter 71A.12 RCW, and a vulnerable adult living in that facility or receiving service from a program authorized under chapter 71A.12 RCW, whether or not it is consensual.

(b) "Physical abuse" means the willful action of inflicting bodily injury or physical mistreatment. Physical abuse includes, but is not limited to, striking with or without an object, slapping, pinching, choking, kicking, shoving, prodding, or the use of chemical restraints or physical restraints unless the restraints are consistent with licensing requirements, and includes restraints that are otherwise being used inappropriately.

(c) "Mental abuse" means any willful action or inaction of mental or verbal abuse. Mental abuse includes, but is not limited to, coercion, harassment, inappropriately isolating a vulnerable adult

from family, friends, or regular activity, and verbal assault that includes ridiculing, intimidating, yelling, or swearing.

(d) "Exploitation" means an act of forcing, compelling, or exerting undue influence over a vulnerable adult causing the vulnerable adult to act in a way that is inconsistent with relevant past behavior, or causing the vulnerable adult to perform services for the benefit of another.

(3) "Consent" means express written consent granted after the vulnerable adult or his or her legal representative has been fully informed of the nature of the services to be offered and that the receipt of services is voluntary.

(4) "Department" means the department of social and health services.

(5) "Facility" means a residence licensed or required to be licensed under chapter 18.20 RCW, boarding homes; chapter 18.51 RCW, nursing homes; chapter 70.128 RCW, adult family homes; chapter 72.36 RCW, soldiers' homes; or chapter 71A.20 RCW, residential habilitation centers; or any other facility licensed by the department.

(6) "Financial exploitation" means the illegal or improper use of the property, income, resources, or trust funds of the vulnerable adult by any person for any person's profit or advantage other than for the vulnerable adult's profit or advantage.

(7) "Financial institution" has the same meaning as in RCW 30.22.040 and 30.22.041. For purposes of this chapter only, "financial institution" also means a "broker-dealer" or "investment adviser" as defined in RCW 21.20.005.

(8) "Incapacitated person" means a person who is at a significant risk of personal or financial harm under RCW 11.88.010(1) (a), (b), (c), or (d).

~~((8))~~ (9) "Individual provider" means a person under contract with the department to provide services in the home under chapter 74.09 or 74.39A RCW.

~~((9))~~ (10) "Interested person" means a person who demonstrates to the court's satisfaction that the person is interested in the welfare of the vulnerable adult, that the person has a good faith belief that the court's intervention is necessary, and that the vulnerable adult is unable, due to incapacity, undue influence, or duress at the time the petition is filed, to protect his or her own interests.

~~((10))~~ (11) "Mandated reporter" is an employee of the department; law enforcement officer; social worker; professional school personnel; individual provider; an employee of a facility; an operator of a facility; an employee of a social service, welfare, mental health, adult day health, adult day care, home health, home care, or hospice agency; county coroner or medical examiner; Christian Science practitioner; or health care provider subject to chapter 18.130 RCW.

~~((11))~~ (12) "Neglect" means (a) a pattern of conduct or inaction by a person or entity with a duty of care that fails to provide the goods and services that maintain physical or mental health of a vulnerable adult, or that fails to avoid or prevent physical or mental harm or pain to a vulnerable adult; or (b) an act or omission that demonstrates a serious disregard of consequences of such a magnitude as to constitute a clear and present danger to the vulnerable adult's health, welfare, or safety, including but not limited to conduct prohibited under RCW 9A.42.100.

~~((12))~~ (13) "Permissive reporter" means any person, including, but not limited to, an employee of a financial institution, attorney, or volunteer in a facility or program providing services for vulnerable adults.

~~((13))~~ (14) "Protective services" means any services provided by the department to a vulnerable adult with the consent of the vulnerable adult, or the legal representative of the vulnerable adult, who has been abandoned, abused, financially exploited, neglected, or in a state of self-neglect. These services may include, but are not limited to case management, social casework, home care, placement,

arranging for medical evaluations, psychological evaluations, day care, or referral for legal assistance.

~~((14))~~ (15) "Self-neglect" means the failure of a vulnerable adult, not living in a facility, to provide for himself or herself the goods and services necessary for the vulnerable adult's physical or mental health, and the absence of which impairs or threatens the vulnerable adult's well-being. This definition may include a vulnerable adult who is receiving services through home health, hospice, or a home care agency, or an individual provider when the neglect is not a result of inaction by that agency or individual provider.

~~((15))~~ (16) "Vulnerable adult" includes a person:

(a) Sixty years of age or older who has the functional, mental, or physical inability to care for himself or herself; or

(b) Found incapacitated under chapter 11.88 RCW; or

(c) Who has a developmental disability as defined under RCW 71A.10.020; or

(d) Admitted to any facility; or

(e) Receiving services from home health, hospice, or home care agencies licensed or required to be licensed under chapter 70.127 RCW; or

(f) Receiving services from an individual provider.

NEW SECTION. Sec. 3. A new section is added to chapter 74.34 RCW to read as follows:

(1) Pending an investigation by the financial institution, the department, or law enforcement, if a financial institution reasonably believes that financial exploitation of a vulnerable adult may have occurred, may have been attempted, or is being attempted, the financial institution may, but is not required to, refuse a transaction requiring disbursement of funds contained in the account:

(a) Of the vulnerable adult;

(b) On which the vulnerable adult is a beneficiary, including a trust or guardianship account; or

(c) Of a person suspected of perpetrating financial exploitation of a vulnerable adult.

(2) A financial institution may also refuse to disburse funds under this section if the department, law enforcement, or the prosecuting attorney's office provides information to the financial institution demonstrating that it is reasonable to believe that financial exploitation of a vulnerable adult may have occurred, may have been attempted, or is being attempted.

(3) A financial institution is not required to refuse to disburse funds when provided with information alleging that financial exploitation may have occurred, may have been attempted, or is being attempted, but may use its discretion to determine whether or not to refuse to disburse funds based on the information available to the financial institution.

(4) A financial institution that refuses to disburse funds based on a reasonable belief that financial exploitation of a vulnerable adult may have occurred, may have been attempted, or is being attempted shall:

(a) Make a reasonable effort to notify all parties authorized to transact business on the account orally or in writing; and

(b) Report the incident to the adult protective services division of the department and local law enforcement.

(5) Any refusal to disburse funds as authorized by this section based on the reasonable belief of a financial institution that financial exploitation of a vulnerable adult may have occurred, may have been attempted, or is being attempted will expire upon the sooner of:

(a) Ten business days after the date on which the financial institution first refused to disburse the funds if the transaction involved the sale of a security or offer to sell a security, as defined in RCW 21.20.005, unless sooner terminated by an order of a court of competent jurisdiction;

(b) Five business days after the date on which the financial institution first refused to disburse the funds if the transaction did not

involve the sale of a security or offer to sell a security, as defined in RCW 21.20.005, unless sooner terminated by an order of a court of competent jurisdiction; or

(c) The time when the financial institution is satisfied that the disbursement will not result in financial exploitation of a vulnerable adult.

(6) A court of competent jurisdiction may enter an order extending the refusal by the financial institution to disburse funds based on a reasonable belief that financial exploitation of a vulnerable adult may have occurred, may have been attempted, or is being attempted. A court of competent jurisdiction may also order other protective relief as authorized by RCW 7.40.010 and 74.34.130.

(7) A financial institution or an employee of a financial institution is immune from criminal, civil, and administrative liability for refusing to disburse funds or disbursing funds under this section and for actions taken in furtherance of that determination if the determination of whether or not to disburse funds was made in good faith.

Sec. 4. RCW 74.34.035 and 2003 c 230 s 2 are each amended to read as follows:

(1) When there is reasonable cause to believe that abandonment, abuse, financial exploitation, or neglect of a vulnerable adult has occurred, mandated reporters shall immediately report to the department.

(2) When there is reason to suspect that sexual assault has occurred, mandated reporters shall immediately report to the appropriate law enforcement agency and to the department.

(3) When there is reason to suspect that physical assault has occurred or there is reasonable cause to believe that an act has caused fear of imminent harm:

(a) Mandated reporters shall immediately report to the department; and

(b) Mandated reporters shall immediately report to the appropriate law enforcement agency, except as provided in subsection (4) of this section.

(4) A mandated reporter is not required to report to a law enforcement agency, unless requested by the injured vulnerable adult or his or her legal representative or family member, an incident of physical assault between vulnerable adults that causes minor bodily injury and does not require more than basic first aid, unless:

(a) The injury appears on the back, face, head, neck, chest, breasts, groin, inner thigh, buttock, genital, or anal area;

(b) There is a fracture;

(c) There is a pattern of physical assault between the same vulnerable adults or involving the same vulnerable adults; or

(d) There is an attempt to choke a vulnerable adult.

(5) When there is reason to suspect that the death of a vulnerable adult was caused by abuse, neglect, or abandonment by another person, mandated reporters shall, pursuant to RCW 68.50.020, report the death to the medical examiner or coroner having jurisdiction, as well as the department and local law enforcement, in the most expeditious manner possible. A mandated reporter is not relieved from the reporting requirement provisions of this subsection by the existence of a previously signed death certificate. If abuse, neglect, or abandonment caused or contributed to the death of a vulnerable adult, the death is a death caused by unnatural or unlawful means, and the body shall be the jurisdiction of the coroner or medical examiner pursuant to RCW 68.50.010.

(6) Permissive reporters may report to the department or a law enforcement agency when there is reasonable cause to believe that a vulnerable adult is being or has been abandoned, abused, financially exploited, or neglected.

~~((6))~~ (7) No facility, as defined by this chapter, agency licensed or required to be licensed under chapter 70.127 RCW, or facility or agency under contract with the department to provide care for

vulnerable adults may develop policies or procedures that interfere with the reporting requirements of this chapter.

~~((7))~~ (8) Each report, oral or written, must contain as much as possible of the following information:

(a) The name and address of the person making the report;

(b) The name and address of the vulnerable adult and the name of the facility or agency providing care for the vulnerable adult;

(c) The name and address of the legal guardian or alternate decision maker;

(d) The nature and extent of the abandonment, abuse, financial exploitation, neglect, or self-neglect;

(e) Any history of previous abandonment, abuse, financial exploitation, neglect, or self-neglect;

(f) The identity of the alleged perpetrator, if known; and

(g) Other information that may be helpful in establishing the extent of abandonment, abuse, financial exploitation, neglect, or the cause of death of the deceased vulnerable adult.

~~((8))~~ (9) Unless there is a judicial proceeding or the person consents, the identity of the person making the report under this section is confidential.

NEW SECTION. Sec. 5. A new section is added to chapter 74.34 RCW to read as follows:

(1) A financial institution shall provide training concerning the financial exploitation of vulnerable adults to the employees specified in subsection (2) of this section within one year of the effective date of this act and shall thereafter provide such training to the new employees specified in subsection (2) of this section within the first three months of their employment.

(2) A financial institution that is a broker-dealer or investment adviser as defined in RCW 21.20.005 shall provide training concerning the financial exploitation of vulnerable adults to employees who are required to be registered in the state of Washington as salespersons or investment adviser representatives under RCW 21.20.040 and who have contact with customers and access to account information on a regular basis and as part of their job. All other financial institutions shall provide training concerning the financial exploitation of vulnerable adults to employees who have contact with customers and access to account information on a regular basis and as part of their job.

(3) The training must include recognition of indicators of financial exploitation of a vulnerable adult, the manner in which employees may report suspected financial exploitation to the department and law enforcement as permissive reporters, and steps employees may take to prevent suspected financial exploitation of a vulnerable adult as authorized by law or agreements between the financial institution and customers of the financial institution. The office of the attorney general and the department shall develop a standardized training that financial institutions may offer, or the financial institution may develop its own training.

(4) A financial institution may provide access to or copies of records that are relevant to suspected financial exploitation or attempted financial exploitation of a vulnerable adult to the department, law enforcement, or the prosecuting attorney's office, either as part of a referral to the department, law enforcement, or the prosecuting attorney's office, or upon request of the department, law enforcement, or the prosecuting attorney's office pursuant to an investigation. The records may include historical records as well as records relating to the most recent transaction or transactions that may comprise financial exploitation.

(5) A financial institution or employee of a financial institution participating in good faith in making a report or providing documentation or access to information to the department, law enforcement, or the prosecuting attorney's office under this chapter shall be immune from criminal, civil, or administrative liability."

Correct the title.

Representatives Hurst and Pearson spoke in favor of the adoption of the amendment.

Amendment (1296) was adopted.

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

Representatives Hurst and Pearson spoke in favor of the passage of the bill.

MOTION

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6202, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6202, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Clibborn.

SUBSTITUTE SENATE BILL NO. 6202, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6403, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Kauffman, McAuliffe, Hargrove, Hobbs, Regala, Oemig, McDermott and Shin)

Regarding accountability and support for vulnerable students and dropouts.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Education was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 44, February 23, 2010).

Representative Miloscia moved the adoption of amendment (1290) to the committee amendment:

On page 4, line 32 of the amendment, after "barriers." insert "The annual report must identify the top six root causes of dropouts and performance measures to track and monitor these root causes."

On page 5, line 32 of the amendment, after "performance-based" strike "management system" and insert "quality management system using the Baldrige education criteria for performance excellence"

On page 5, line 34 of the amendment, after "accountability" insert "in all school districts"

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

Representative Hunt spoke against the adoption of the amendment to the committee amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Morris presiding) divided the House. The result was 47 - YEAS; 50 - NAYS.

Amendment (1290) to the committee amendment was not adopted.

The committee amendment by the Committee on Education was adopted.

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

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6403, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6403, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Miloscia.

Excused: Representative Clibborn.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6403, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 6804, by Senator Kohl-Welles

Allowing the department of social and health services to adopt rules establishing standards for the review and certification of treatment facilities under the problem and pathological gambling treatment program.

The bill was read the second time.

Representative Green moved the adoption of amendment (1282).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 43.20A.890 and 2005 c 369 s 2 are each amended to read as follows:

(1) A program for (a) the prevention and treatment of problem and pathological gambling; and (b) the training of professionals in the identification and treatment of problem and pathological gambling is established within the department of social and health services, to be administered by a qualified person who has training and experience in problem gambling or the organization and administration of treatment services for persons suffering from problem gambling. The department may certify and contract with treatment facilities for any services provided under the program. The department shall track program participation and client outcomes.

(2) To receive treatment under subsection (1) of this section, a person must:

(a) Need treatment for problem or pathological gambling, or because of the problem or pathological gambling of a family member, but be unable to afford treatment; and

(b) Be targeted by the department of social and health services as being most amenable to treatment.

(3) Treatment under this section is available only to the extent of the funds appropriated or otherwise made available to the department of social and health services for this purpose. The department may solicit and accept for use any gift of money or property made by will or otherwise, and any grant of money, services, or property from the federal government, any tribal government, the state, or any political subdivision thereof or any private source, and do all things necessary to cooperate with the federal government or any of its agencies or any tribal government in making an application for any grant.

(4) The department may adopt rules establishing standards for the review and certification of treatment facilities under this program.

(5) The department of social and health services shall establish an advisory committee to assist it in designing, managing, and evaluating the effectiveness of the program established in this section. The advisory committee shall give due consideration in the design and management of the program that persons who hold licenses or contracts issued by the gambling commission, horse racing commission, and lottery commission are not excluded from, or discouraged from, applying to participate in the program. The committee shall include, at a minimum, persons knowledgeable in the field of problem and pathological gambling and persons representing tribal gambling, privately owned nontribal gambling, and the state lottery.

~~((5))~~ (6) For purposes of this section, "pathological gambling" is a mental disorder characterized by loss of control over gambling, progression in preoccupation with gambling and in obtaining money to gamble, and continuation of gambling despite adverse consequences. "Problem gambling" is an earlier stage of pathological gambling which compromises, disrupts, or damages family or personal relationships or vocational pursuits.

NEW SECTION, Sec. 2. (1) The department of health shall develop recommendations regarding the credentialing of problem and pathological gambling treatment providers who were, prior to July 1, 2010, providing problem and pathological gambling treatment services as registered counselors under chapter 18.19 RCW.

(2) When developing its recommendations, the department shall:

(a) Consider, to the extent practicable, the criteria for sunrise review under RCW 18.120.010(2) and (3); and

(b) Solicit input from stakeholders, including, but not limited to, the department of social and health services, problem and pathological gambling treatment providers, chemical dependency professionals, and any other affected health professions.

(3) The department's recommendations shall, at a minimum, include:

(a) A determination of whether the scope of practice of an existing credential should be expanded to include problem and pathological gambling treatment services or whether a new credential for problem and pathological gambling treatment providers should be created; and

(b) Appropriate training, education, or examination requirements for problem and pathological gambling treatment providers.

(3) The department shall report its recommendations to the appropriate committees of the legislature no later than December 1, 2010.

NEW SECTION, Sec. 3. Section 1 of this act expires December 31, 2012."

Correct the title.

Representatives Green and Dammeier spoke in favor of the adoption of the amendment.

Amendment (1282) was adopted.

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

Representatives Dickerson and Dammeier spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Senate Bill No. 6804, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6804, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Clibborn.

SENATE BILL NO. 6804, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6248, by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Fairley, Rockefeller, Kohl-Welles, Kline and Ranker)

Concerning the use of bisphenol A.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Environmental Health, was adopted. (For Committee amendment, see Journal, Day 38, February 17, 2010).

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

Representatives Dickerson and Shea spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6248, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6248, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chase, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Chandler.

Excused: Representative Clibborn.

SUBSTITUTE SENATE BILL NO. 6248, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6346, by Senate Committee on Transportation (originally sponsored by Senators Ranker, Haugen, Regala, Rockefeller, Pridemore, Marr, King, Fraser, Swecker, Kilmer, Shin, Tom, Kohl-Welles and Kline)

Expanding the use of certain electric vehicles.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation, was adopted. (For Committee amendment, see Journal, Day 46, February 25, 2010).

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

Representatives Lias and Roach spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6346, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6346, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives DeBolt, Kretz, Orcutt, Short and Taylor.

Excused: Representative Clibborn.

SUBSTITUTE SENATE BILL NO. 6346, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 6764, by Senators Gordon, Pflug, Oemig, McCaslin, Kline and Hargrove

Regarding accrual of interest on judgments founded on tortious conduct.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary, was adopted. (For Committee amendment, see Journal, Day 43, February 22, 2010).

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

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

Representative Rodne spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 6764, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 6764, as amended by the House, and the bill passed the House by the following vote: Yeas, 60; Nays, 37; Absent, 0; Excused, 1.

Voting yea: Representatives Anderson, Appleton, Bailey, Blake, Carlyle, Chase, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Ericks, Finn, Flannigan, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Armstrong, Campbell, Chandler, Condotta, Crouse, Dammeier, DeBolt, Driscoll, Ericksen, Fagan, Goodman, Haler, Herrera, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Parker, Pearson, Priest, Roach, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh and Warnick.

Excused: Representative Clibborn.

ENGROSSED SENATE BILL NO. 6764, as amended by the House, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed Senate Bill No. 6764.

Barbara Bailey, 10th District

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed Senate Bill No. 6764.

Troy X. Kelley, 28th District

SECOND READING

SENATE BILL NO. 6826, by Senator Swecker

Increasing certain fees of licensing subagents.

The bill was read the second time.

Representative Carlyle moved the adoption of amendment (1382).

On page 5, after line 7, insert the following:

"**NEW SECTION. Sec. 2.** A new section is added to chapter 46.01 RCW to read as follows:

The department must implement a fair, equitable, and objective rotation of public and private entity listings on the department's vehicle licensing and registration web site. The entities to be listed on the rotation are the vehicle licensing subagents and county auditors to assist the public and businesses in locating vehicle licensing offices."

Correct the title.

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

Amendment (1382) was adopted.

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

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Senate Bill No. 6826, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6826, as amended by the House, and the bill passed the House by the following vote: Yeas, 88; Nays, 9; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chase, Cody, Condotta, Conway, Dammeier, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Ormsby, Orwall, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Chandler, Crouse, DeBolt, Ericksen, Herrera, Hinkle, Orcutt, Parker and Shea.

Excused: Representative Clibborn.

SENATE BILL NO. 6826, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 6453, by Senators Hobbs, Delvin, Shin and Roach

Addressing shared leave for members of the law enforcement officers' and firefighters' retirement system, plan 2.

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 Van De Wege spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Senate Bill No. 6453.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6453, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew,

Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Clibborn.

SENATE BILL NO. 6453, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6349, by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Ranker, Holmquist, Haugen, Hobbs, Becker, Shin and Roach)

Establishing a farm internship program.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Commerce & Labor was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 44, February 23, 2010).

With the consent of the House, amendment (1343) was withdrawn.

Representative Conway moved the adoption of amendment (1355) to the committee amendment:

On page 4, beginning on line 27 of the striking amendment, after "(10)" strike all material through "(11)" on line 30

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

Amendment (1355) to the committee amendment was adopted.

Representative Pettigrew moved the adoption of amendment (1291) to the committee amendment.

On page 8, after line 29, insert the following:

"(d) Appropriations made for purposes of this act must be from the state general fund."

Representatives Pettigrew and Condotta spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (1291) to the committee amendment was adopted.

The committee amendment by the Committee on Commerce & Labor was adopted as amended.

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

Representatives Wood, Condotta and Conway spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6349, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6349, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Chase and Roberts.

Excused: Representative Clibborn.

SUBSTITUTE SENATE BILL NO. 6349, as amended by the House, having received the necessary constitutional majority, was declared passed.

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

MESSAGE FROM THE SENATE

March 3, 2010

Mr. Speaker:

The President has signed:

ENGROSSED SUBSTITUTE SENATE BILL 6241
 SUBSTITUTE SENATE BILL 6357
 SUBSTITUTE SENATE BILL 6414
 ENGROSSED SUBSTITUTE SENATE BILL 6499
 ENGROSSED SUBSTITUTE SENATE BILL 6522
 SUBSTITUTE SENATE BILL 6556
 SENATE BILL 6627
 SENATE BILL 6745
 SUBSTITUTE SENATE BILL 6831

and the same are herewith transmitted.

Thomas Hoemann, Secretary

SECOND READING

HOUSE BILL NO. 3178, by Representatives Carlyle, Anderson, Hunter, Rolfes, Eddy, Takko, Probst, Wallace, Maxwell, Van De Wege, Kelley, Green, Sullivan, Hudgins, Hope, Morrell, Springer, Ericks, Hunt, Goodman, Jacks and Finn

Creating efficiencies in the use of technology in state government.

The bill was read the second time.

There being no objection, Substitute House Bill No. 3178 was substituted for House Bill No. 3178 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 3178 was read the second time.

Representative Carlyle moved the adoption of amendment (1297).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 43.105 RCW to read as follows:

(1) The legislature finds that the provision of information technology in state government lacks strategic coordination, transparency, and meaningful enterprise-wide direction and oversight. It is no longer economically sustainable or technically feasible for state agencies to obtain and provide large-scale, commonly utilized information technology products and services on an individual, agency- by-agency basis without coordination. Instead, the state needs a strong, enterprise-based information technology strategy to ensure the public's needs are being met and the state is receiving the highest quality information technology products and services at the best price from public or private providers. Developing a strong enterprise-wide strategy also includes establishing clear lines of authority and accountability within state agencies so that those services unique to individual agencies receive the support required to effectively and efficiently provide services to citizens. To accomplish these objectives, the state needs to develop an open, transparent process for determining the total cost of ownership for the information technology products and services it provides, and to provide such information in an easily accessible, public fashion. It is in the state's interest to ensure that the wide range of disparate networks, systems, services, and structures across state government become more closely coordinated, organized, and structured. This type of coordinating effort is already underway in the area of higher education through the efforts of the higher education technology transformation task force and informally within other areas. When more transparent technical and financial information is readily available, the state can make sound policy decisions about what information technology services should be provided centrally on a shared services basis, and what products and services may be best suited for either contracting with private providers or for maintenance at the agency level. Furthermore, if attractive pricing models and service level agreements are developed for enterprise-based information technology services, the legislative and judicial branches will have an incentive to participate in those services as well.

(2) It is the intent of the legislature to organize, consolidate, and, where appropriate, contract with private providers for technology systems and resources in a strategic fashion that is based upon sound, objective, nonpolitical, and independent technical and financial criteria. The state needs to develop a clear, enterprise-based statewide strategy for information technology to ensure that there is transparency and accountability regarding how information technology resources are being allocated, how decisions are being made, and who is accountable for on-time, on-budget delivery.

NEW SECTION. Sec. 2. A new section is added to chapter 43.105 RCW to read as follows:

(1) State agencies that are purchasing wireless devices or services must make such purchases through the state master contract, unless the state agency provides to the office of financial management evidence that the state agency is securing its wireless devices or services from another source for a lower cost than through participation in the state master contract.

(2) For the purposes of this section, "state agency" means any office, department, board, commission, or other unit of state government, but does not include a unit of state government headed by a statewide elected official, an institution of higher education as defined in RCW 28B.10.016, or agencies of the legislative or judicial branches of state government.

Sec. 3. RCW 43.105.190 and 2005 c 319 s 111 are each amended to read as follows:

(1) The department, with the approval of the board, shall establish standards and policies governing the planning, implementation, and evaluation of major information technology projects, including those proposed by the superintendent of public instruction, in conjunction with educational service districts, or statewide or regional providers of K-12 education information technology services. The standards and policies shall:

(a) Establish criteria to identify projects which are subject to this section. Such criteria shall include, but not be limited to, significant anticipated cost, complexity, or statewide significance of the project; and

(b) Establish a model process and procedures which agencies shall follow in developing and implementing projects within their information technology portfolios. Agencies may propose, for approval by the department, a process and procedures unique to the agency. The department may accept or require modification of such agency proposals or the department may reject such agency proposals and require use of the model process and procedures established under this subsection. Any process and procedures developed under this subsection shall require (i) distinct and identifiable phases upon which funding may be based, (ii) user validation of products through system demonstrations and testing of prototypes and deliverables, and (iii) other elements identified by the board.

The director may terminate a major project if the director determines that the project is not meeting or is not expected to meet anticipated performance standards.

(2) The office of financial management shall establish policies and standards consistent with portfolio-based information technology management to govern the funding of projects developed under this section. The policies and standards shall provide for:

(a) Funding of a project under terms and conditions mutually agreed to by the director, the director of financial management, and the head of the agency proposing the project. However, the office of financial management may require incremental funding of a project on a phase-by- phase basis whereby funds for a given phase of a project may be released only when the office of financial management determines, with the advice of the department, that the previous phase is satisfactorily completed;

(b) Acceptance testing of products to assure that products perform satisfactorily before they are accepted and final payment is made; and

(c) Other elements deemed necessary by the office of financial management.

(3)(a) The department shall evaluate projects based on the demonstrated business needs and benefits; cost; technology scope and feasibility; impact on the agency's information technology portfolio and on the statewide infrastructure; and final project implementation plan based upon available funding.

(b) Copies of project evaluations conducted under this subsection shall be submitted to the office of financial management and the chairs, ranking minority members, and staff coordinators of the appropriations committees of the senate and house of representatives.

(c) If there are projects that receive funding from a transportation fund or account, copies of those projects' evaluations conducted under this subsection must be submitted to the chairs and ranking minority members of the transportation committees of the senate and the house of representatives.

(4) For the 2009-2011 biennium, the following limitations are established upon information technology procurement:

(a) Except as provided in (c) of this subsection, state agencies are not permitted to purchase or implement new information technology projects without securing prior authorization from the office of financial management. The office of financial management may only approve information technology projects that contribute towards an enterprise strategy or meet a critical, localized need of the requesting agency.

(b) Except as provided in (c) of this subsection, state agencies are not permitted to purchase servers, virtualization software, data storage, or related software through their operational funds or through a separate information technology budget item without securing prior authorization from the office of financial management. The office of financial management shall grant approval only if the purchase is consistent with the state's overall migration strategy to the state data center and critical to the operation of the agency.

(c) State agencies may purchase new information technology projects or servers without securing prior authorization from the office of financial management if the purchase by the agency is needed to address an immediate and compelling threat to public safety.

(d) For the purposes of this subsection (4), "state agency" means any office, department, board, commission, or other unit of state government, but does not include a unit of state government headed by a statewide elected official, an institution of higher education as defined in RCW 28B.10.016, or agencies of the legislative or judicial branches of state government.

NEW SECTION. Sec. 4. A new section is added to chapter 43.88 RCW to read as follows:

(1) As part of the biennial budget process, the office of financial management shall collect from agencies, and agencies shall provide, information to produce reports, summaries, and budget detail sufficient to allow review, analysis, and documentation of all current and proposed expenditures for information technology by state agencies. Information technology budget detail must be included as part of the budget submittal documentation required pursuant to RCW 43.88.030.

(2) The office of financial management must collect, and present as part of the biennial budget documentation, information for all existing information technology projects as defined by information services board policy. The office of financial management must work with the department of information services to maximize the ability to draw this information from the information technology portfolio management data collected by the department of information services pursuant to RCW 43.105.170. Connecting project information collected through the portfolio management process with financial data developed under subsection (1) of this section provides transparency regarding expenditure data for existing technology projects.

(3) The biennial budget documentation submitted by the office of financial management pursuant to RCW 43.88.030 must include an information technology plan identifying proposed large information technology projects. This plan must be presented using a method similar to the capital budget, identifying project costs through stages of the project and across fiscal periods and biennia from project initiation to implementation. This information must be submitted electronically, in a format to be determined by the office of financial management and the legislative evaluation and accountability program committee.

(4) The office of financial management shall also institute a method of accounting for information technology-related expenditures, including creating common definitions for what constitutes an information technology investment.

Sec. 5. RCW 43.88.560 and 1992 c 20 s 7 are each amended to read as follows:

The director of financial management shall establish policies and standards governing the funding of major information technology projects as required under RCW 43.105.190(2). The director of financial management shall also direct the collection of additional information on information technology projects and submit an information technology plan as required under section 4 of this act.

Sec. 6. RCW 43.105.041 and 2009 c 486 s 13 are each amended to read as follows:

(1) The board shall have the following powers and duties related to information services:

(a) To develop standards and procedures governing the acquisition and disposition of equipment, proprietary software and purchased services, licensing of the radio spectrum by or on behalf of state agencies, and confidentiality of computerized data. The board shall coordinate with the office of financial management to develop contracting standards for information technology acquisition and purchased services and must work with state agencies to ensure deployment of standardized contracts;

(b) To purchase, lease, rent, or otherwise acquire, dispose of, and maintain equipment, proprietary software, and purchased services, or to delegate to other agencies and institutions of state government, under appropriate standards, the authority to purchase, lease, rent, or otherwise acquire, dispose of, and maintain equipment, proprietary software, and purchased services: PROVIDED, That, agencies and institutions of state government are expressly prohibited from acquiring or disposing of equipment, proprietary software, and purchased services without such delegation of authority. The acquisition and disposition of equipment, proprietary software, and purchased services is exempt from RCW 43.19.1919 and, as provided in RCW 43.19.1901, from the provisions of RCW 43.19.190 through 43.19.200, except that the board, the department, and state agencies, as delegated, must post notices of technology procurement bids on the state's common vendor registration and bid notification system. This subsection (1)(b) does not apply to the legislative branch;

(c) To develop statewide or interagency technical policies, standards, and procedures;

(d) To review and approve standards and common specifications for new or expanded telecommunications networks proposed by agencies, public postsecondary education institutions, educational service districts, or statewide or regional providers of K-12 information technology services, and to assure the cost-effective development and incremental implementation of a statewide video telecommunications system to serve: Public schools; educational service districts; vocational-technical institutes; community colleges; colleges and universities; state and local government; and the general public through public affairs programming;

(e) To provide direction concerning strategic planning goals and objectives for the state. The board shall seek input from the legislature and the judiciary;

(f) To develop and implement a process for the resolution of appeals by:

(i) Vendors concerning the conduct of an acquisition process by an agency or the department; or

(ii) A customer agency concerning the provision of services by the department or by other state agency providers;

(g) To establish policies for the periodic review by the department of agency performance which may include but are not limited to analysis of:

(i) Planning, management, control, and use of information services;

(ii) Training and education; and

(iii) Project management;

(h) To set its meeting schedules and convene at scheduled times, or meet at the request of a majority of its members, the chair, or the director;

(i) To review and approve that portion of the ~~((department's))~~ budget ~~((requests))~~ that ~~((provides for))~~ may provide independent, technical staff support to the board; and

(j) To develop procurement policies and procedures, such as unbundled contracting and subcontracting, that encourage and facilitate the purchase of products and services by state agencies and institutions from Washington small businesses to the maximum extent practicable and consistent with international trade agreement commitments.

(2) Statewide technical standards to promote and facilitate electronic information sharing and access are an essential component of acceptable and reliable public access service and complement content-related standards designed to meet those goals. The board shall:

(a) Establish technical standards to facilitate electronic access to government information and interoperability of information systems, including wireless communications systems. Local governments are strongly encouraged to follow the standards established by the board; and

(b) Require agencies to consider electronic public access needs when planning new information systems or major upgrades of systems.

In developing these standards, the board is encouraged to include the state library, state archives, and appropriate representatives of state and local government.

(3)(a) The board, in consultation with the K-20 board, has the duty to govern, operate, and oversee the technical design, implementation, and operation of the K-20 network including, but not limited to, the following duties: Establishment and implementation of K-20 network technical policy, including technical standards and conditions of use; review and approval of network design; procurement of shared network services and equipment; and resolving user/provider disputes concerning technical matters. The board shall delegate general operational and technical oversight to the K-20 network technical steering committee as appropriate.

(b) The board has the authority to adopt rules under chapter 34.05 RCW to implement the provisions regarding the technical operations and conditions of use of the K-20 network.

(4) The board shall review all information technology efforts under its purview based on independent technical and financial information, regardless of whether the projects or services are being provided by public or private providers. This review must be conducted by independent, technical staff support, subject to funds appropriated for this specific purpose.

(5) In reviewing these efforts, the board, in consultation with the office of financial management, shall review state agency information technology budgets. The board may acquire project management assistance to assist in its efforts under this act.

Sec. 7. RCW 43.105.180 and 1999 c 80 s 11 are each amended to read as follows:

~~((Upon request of the office of financial management,))~~ (1) The department, in coordination with the information services board and the office of financial management, shall evaluate agency budget requests for major information technology projects identified under RCW 43.105.190, including those proposed by the superintendent of public instruction, in conjunction with educational service districts, or statewide or regional providers of K-12 education information technology services. The department shall submit recommendations for funding all or part of such requests to the office of financial management and to the chairs, ranking minority members, and staff coordinators of the appropriations committees of the senate and house of representatives. The department shall also submit recommendations regarding consolidation of similar proposals or other efficiencies it finds in reviewing proposals.

(2) The department, with the advice and approval of the office of financial management and the information services board, shall establish criteria, consistent with portfolio-based information technology management, for the evaluation of agency budget requests under this section. These budget requests shall be made in the context of an agency's information technology portfolio; technology initiatives underlying budget requests are subject to board review. Criteria shall include, but not be limited to: Feasibility of the proposed projects, consistency with the state strategic information technology plan, consistency with information technology portfolios, appropriate provision for public electronic access to information,

evidence of business process streamlining and gathering of business and technical requirements, and services, costs, and benefits.

(3) For the purposes of this section, "state agency" includes every state office, department, division, bureau, board, commission, or other state agency, including offices headed by a statewide elected official, and offices in the legislative and judicial branches of state government, notwithstanding the provisions of RCW 44.68.105.

Sec. 8. RCW 43.105.160 and 2005 c 319 s 110 are each amended to read as follows:

(1) The department shall prepare a state strategic information technology plan which shall establish a statewide mission, goals, and objectives for the use of information technology, including goals for electronic access to government records, information, and services. The plan shall be developed in accordance with the standards and policies established by the board and shall be submitted to the board for review, modification as necessary, and approval. The department shall seek the advice of the board in the development of this plan.

The plan approved under this section shall be updated as necessary and submitted to the governor and the chairs and ranking minority members of the appropriations committees of the senate and the house of representatives.

(2) The department shall prepare a biennial state performance report on information technology based on agency performance reports required under RCW 43.105.170 and other information deemed appropriate by the department. The report shall include, but not be limited to:

(a) An analysis, based upon agency portfolios, of the state's information technology infrastructure, including its value, condition, and capacity;

(b) An evaluation of performance relating to information technology;

(c) An assessment of progress made toward implementing the state strategic information technology plan, including progress toward electronic access to public information and enabling citizens to have two-way access to public records, information, and services;

(d) An analysis of the success or failure, feasibility, progress, costs, and timeliness of implementation of major information technology projects under RCW 43.105.190. At a minimum, the portion of the report regarding major technology projects must include:

(i) Final total cost of ownership budget data for the entire life-cycle of the project, including capital and operational costs, broken down by staffing costs, contracted service, hardware purchase or lease, software purchase or lease, travel, and training. The original budget must also be shown for comparison;

(ii) The original proposed project schedule and the final actual project schedule;

(iii) Data regarding progress towards meeting the original goals and performance measures of the project, particularly as it relates to operating budget savings;

(iv) Discussion of lessons learned on the project, performance of any contractors used, and reasons for project delays or cost increases; and

~~((e))~~ (v) Identification of benefits, cost avoidance, and cost savings generated by major information technology projects developed under RCW 43.105.190; and

~~((f))~~ (e) An inventory of state information services, equipment, and proprietary software.

Copies of the report shall be distributed biennially to the governor and the chairs and ranking minority members of the appropriations committees of the senate and the house of representatives. The major technology section of the report must examine major information technology projects completed in the previous biennium to determine the performance of the implementing agency, cost and value effectiveness, and timeliness and other performance metrics necessary to assess the quality and value of the investment. The report must

also examine projects two years after completion for progress toward meeting performance goals and operating budget savings. The first report is due December 15, 2011, and every two years thereafter.

(3) The legislative and judicial branches are encouraged to develop information technology portfolios consistent with the provisions of RCW 43.105.172 and to prepare and submit to the department a biennial performance report consistent with the provisions of RCW 43.105.170.

NEW SECTION. Sec. 9. A new section is added to chapter 43.105 RCW to read as follows:

(1) The board, in consultation with the department and the office of financial management, shall develop an enterprise-based strategy for information technology in state government informed by information technology expenditure information collected from state agencies pursuant to section 4 of this act.

(2) In developing an enterprise-based strategy for the state, the board is encouraged to consider the following strategies as possible opportunities for achieving greater efficiency:

(a) Developing personal computer replacement policies for the state, with consideration given to alternative models of personal computer usage for state government use, such as thin client, software as a service, browser-based functionality, mobile computing, and other models that are less dependent upon traditional computing;

(b) Pursuing shared services initiatives across functional areas, which may include services such as e-mail, telephony, and data storage;

(c) Pursuing pilot programs, such as a pilot to demonstrate the value of application management services, to identify opportunities to achieve operational efficiencies;

(d) Developing data storage policies and record retention requirements and schedules for state agencies, in consultation with the office of the secretary of state, the state archivist, and the state records committee, where appropriate;

(e) Reviewing existing software maintenance contracts to identify opportunities to renegotiate the price of those contracts or the level of service; and

(f) Partnering with private providers for commonly utilized information technology products and services.

(3) The legislative and judicial branches are encouraged to coordinate with, and participate in, shared services initiatives, pilot programs, and development of the enterprise-based strategy, where appropriate.

NEW SECTION. Sec. 10. (1) The office of financial management, with the assistance of the department of information services, must identify areas of potential savings that will achieve the savings identified in the omnibus appropriations act. These areas shall include, but not be limited to, wireless service, telephony, desktop computers, electronic mail services, and data storage.

(2) The office of financial management shall work with the appropriate state agencies, including the department of information services, to generate savings that arise pursuant to this act from the improved acquisition and delivery of information technology products and services. To accomplish this objective, state agencies must provide timely, accurate total cost of ownership data to the office of financial management upon request regarding information technology products and services. The savings must be at least equal to those specified in the omnibus appropriations act. The office of financial management shall reduce agency allotments by the amounts specified in the omnibus appropriations act to reflect these savings. The allotment reductions shall be placed in unallotted status and remain unexpended.

(3) For the purposes of this section, "state agency" means any office, department, board, commission, or other unit of state government, but does not include a unit of state government headed by a statewide elected official, an institution of higher education as

defined in RCW 28B.10.016, or agencies of the legislative or judicial branches of state government.

(4) This section expires June 30, 2011.

NEW SECTION. Sec. 11. A new section is added to chapter 43.105 RCW to read as follows:

(1) The department, in collaboration with state agencies, shall conduct an inventory from existing data sets of information technology assets owned or leased by state agencies. This inventory must be used to inform the development of a state information technology asset management process. Prior to implementation of any state information technology asset management process, the department must submit its recommended approach, including an estimate of the associated implementation costs, to the board for approval.

(2) For the purposes of this section, "state agency" includes every state office, department, division, bureau, board, commission, or other state agency, including offices headed by a statewide elected official, and offices in the legislative and judicial branches of state government, notwithstanding the provisions of RCW 44.68.105.

NEW SECTION. Sec. 12. (1) The office of financial management, in consultation with the department of information services and the information services board, shall develop and execute a pilot program to contract with one or more private providers for the delivery, support, maintenance, and operation of information technology through application managed services or other similar programs across one or more functional areas of information technology, or for the information technology needs of one or more state agencies. In selecting a private provider for the pilot program, the office of financial management must engage in a competitive bid process or request for proposals process.

(2) The objective of the pilot program will be to assess: (a) Each agency's information technology application portfolio; (b) opportunities to use best practices and tools; and (c) whether the agency should proceed with application managed services or other similar programs based on the results of the assessment.

(3) The department of information services and the office of financial management shall prepare a report of the findings of the pilot assessments by September 1, 2010, and a final report of the pilot results by June 30, 2011. The final report must include the following: Identification of short and long-term costs, risks, benefits, and other organizational impacts of implementing application managed services or other similar programs within the pilot agencies. The final report must also identify opportunities for other state agencies to benefit from application managed services or other similar programs. The results of the pilot program must be provided to the information services board, the governor, the senate committee on ways and means, and the house of representatives committee on ways and means.

NEW SECTION. Sec. 13. The department of information services shall, by November 1, 2010, report on the efforts to develop a centralized information project management office pursuant to section 142, chapter 522, Laws of 2007. The report shall address the current status of the effort, lessons learned, and recommended changes to the program.

Sec. 14. RCW 43.105.080 and 1999 c 80 s 8 are each amended to read as follows:

There is created a revolving fund to be known as the data processing revolving fund in the ~~((custody of the))~~ state ~~((treasurer))~~ treasury. Moneys in the fund may be spent only after appropriation. The revolving fund shall be used for the acquisition of equipment, software, supplies, and services and the payment of salaries, wages, and other costs incidental to the acquisition, development, operation, and administration of information services, telecommunications, systems, software, supplies and equipment, including the payment of principal and interest on bonds issued for capital projects, by the department, ~~((Washington State University's computer services~~

~~center,)) the department of personnel's personnel information systems division, the office of financial management's financial systems management group, and other users as jointly determined by the department and the office of financial management. ((The revolving fund is subject to the allotment procedure provided under chapter 43.88 RCW. Disbursements from the revolving fund for the services component of the department are not subject to appropriation. Disbursements for the strategic planning and policy component of the department are subject to appropriation. All disbursements from the fund are subject to the allotment procedures provided under chapter 43.88 RCW.)) The department shall establish and implement a billing structure to assure all agencies pay an equitable share of the costs.~~

As used in this section, the word "supplies" shall not be interpreted to delegate or abrogate the division of purchasing's responsibilities and authority to purchase supplies as described in RCW 43.19.190 and 43.19.200.

NEW SECTION. Sec. 15. (1) The office of financial management shall contract with an independent consultant to:

(a) Conduct a technical and financial analysis of the state's plan for the consolidated state data center and office building; and

(b) Develop a strategic business plan outlining the various options for use of the site that maximize taxpayer value consistent with the terms of the finance lease and related agreements.

(2) The analysis must consist of, at a minimum, an assessment of the following issues:

(a) The total capital and operational costs for the proposed data center and office building;

(b) The occupancy rate for the consolidated state data center, as compared to total capacity, that will result in revenue exceeding total capital and operating expenses;

(c) The potential reallocation of resources that could result from the consolidation of state data centers and office space; and

(d) The potential return on investment for the consolidated state data center and office building that may be realized without impairing any existing contractual rights under the terms of the financing lease and related agreements.

(3) This review must build upon the analysis and migration strategy for the consolidated state data center being prepared for the department of information services.

(4) The strategic plan must be submitted to the governor and the legislature by December 1, 2010.

NEW SECTION. Sec. 16. (1) The department of information services and the office of financial management shall review existing statutes, procedures, data, and organizational structures to identify opportunities to increase efficiency, customer service, and transparency in information technology. This effort shall include:

(a) Identifying and addressing financial data needed to comprehensively evaluate information technology spending from an enterprise perspective;

(b) A review of best practices in information technology governance, including private sector practices and lessons learned from other states; and

(c) A review of existing statutes regarding information technology governance, standards, and financing to identify inconsistencies between current law and best practices.

(2) The department of information services and the office of financial management shall report findings and recommendations to the governor and the appropriate committees of the legislature by December 1, 2010.

NEW SECTION. Sec. 17. RCW 43.105.017 (Legislative intent) and 1992 c 20 s 6, 1990 c 208 s 2, & 1987 c 504 s 2 are each repealed."

Correct the title.

Representative McCoy moved the adoption of amendment (1394) to amendment (1297).

On page 14, beginning on line 24 of the striking amendment, strike all of section 14

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

Representatives McCoy and Carlyle spoke in favor of the adoption of the amendment to the amendment.

Amendment (1394) to amendment (1297) was adopted.

Representative Carlyle moved the adoption of amendment (1402) to amendment (1297).

On page 2, line 29 of the striking amendment, after "28B.10.016," insert "the state board for community and technical colleges,"

On page 5, line 2 of the striking amendment, after "28B.10.016," insert "the state board for community and technical colleges."

On page 13, line 9 of the striking amendment, after "28B.10.016," insert "the state board for community and technical colleges,"

Representative Carlyle spoke in favor of the adoption of the amendment to the amendment.

Amendment (1402) to amendment (1297) was adopted.

Representative Carlyle spoke in favor of the adoption of amendment (1297).

Amendment (1297) was adopted as amended.

The bill was ordered engrossed.

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

Representatives Carlyle, Anderson, McCoy, Alexander, Linville and Ross spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 3178.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 3178, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Wood and Mr. Speaker.

Voting nay: Representative Williams.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 3178, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5529, by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Jarrett and King)

Regarding architects.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Commerce & Labor was adopted. (For Committee amendment, see Journal, Day 44, February 23, 2010).

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5529, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5529, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5529, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 6206, by Senators Haugen and Kilmer

Authorizing extensions of the due dates for filing tax incentive accountability reports and surveys with the department of revenue.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Finance, was adopted. (For Committee amendment, see Journal, Day 50, March 1, 2010).

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 6206, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6206, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SENATE BILL NO. 6206, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 6209, by Senators Haugen, Berkey, Marr, Shin and Sheldon

Allowing moneys paid to county road funds to be used for park and ride lots.

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 Liias spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 6209.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6209, and the bill passed the House by the following vote: Yeas, 71; Nays, 27; Absent, 0; Excused, 0.

Voting yea: Representatives Anderson, Appleton, Armstrong, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Herrera, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Priest, Probst, Quall, Roberts, Rodne,

Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Bailey, Chandler, Condotta, Crouse, Dammeier, DeBolt, Fagan, Haler, Hinkle, Johnson, Klippert, Kretz, Kristiansen, Nealey, Orcutt, Parker, Pearson, Roach, Ross, Schmick, Shea, Short, Smith, Taylor and Warnick.

SENATE BILL NO. 6209, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 6279, by Senators Kline, Murray and Haugen

Clarifying regional transit authority facilities as essential public facilities.

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 Simpson spoke in favor of the passage of the bill.

Representative Angel spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 6279.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6279, and the bill passed the House by the following vote: Yeas, 63; Nays, 35; Absent, 0; Excused, 0.

Voting yea: Representatives Anderson, Appleton, Blake, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Armstrong, Bailey, Campbell, Chandler, Condotta, Crouse, Dammeier, DeBolt, Ericksen, Fagan, Haler, Herrera, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Parker, Pearson, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Upthegrove, Walsh and Warnick.

SENATE BILL NO. 6279, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 6330, by Senators Kohl-Welles, Delvin, Haugen, Swecker, Kline, Fraser, Shin, Fairley and Roach

Permitting the placement of human trafficking informational posters in rest areas.

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 O'Brien and Parker spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 6330.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6330, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SENATE BILL NO. 6330, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6341, by Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Hatfield, Haugen, Schoesler, Prentice, Shin and Fairley)

Transferring emergency food assistance programs to the department of agriculture. Revised for 1st Substitute: Transferring food assistance programs to the department of agriculture.

The bill was read the second time.

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

Representatives Van De Wege and Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6341.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6341, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier,

Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 6341, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6342, by Senate Committee on Government Operations & Elections (originally sponsored by Senators Swecker, Hobbs, Franklin, Carrell, McDermott, Pridemore, Marr, Shin and Fairley)

Concerning the Washington soldiers' home.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on State Government & Tribal Affairs, was adopted. (For Committee amendment, see Journal, Day 40, February 19, 2010).

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6342, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6342, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 6342, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6356, by Senate Committee on Transportation (originally sponsored by Senators Kilmer, Swecker, Rockefeller and Kastama)

Limiting access to law enforcement and emergency equipment and vehicles.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation, was adopted. (For Committee amendment, see Journal, Day 46, February 25, 2010).

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6356, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6356, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 6356, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6373, by Senate Committee on Environment, Water & Energy (originally sponsored by Senators Ranker, Rockefeller, Swecker, Pridemore, Marr, Kline and Fraser)

Directing the department of ecology to adopt rules requiring entities to report the emissions of greenhouse gases.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Ecology and Parks, was adopted. (For Committee amendment, see Journal, Day 44, February 23, 2010).

With the consent of the House, amendment (1393) was withdrawn. Amendment (1416) to amendment (1393) was ruled out of order.

Representative Upthegrove moved the adoption of amendment (1420).

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 70.235.010 and 2008 c 14 s 2 are each amended to read as follows:

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

(1) "Carbon dioxide equivalents" means a metric measure used to compare the emissions from various greenhouse gases based upon their global warming potential.

(2) "Climate advisory team" means the stakeholder group formed in response to executive order 07-02.

(3) "Climate impacts group" means the University of Washington's climate impacts group.

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

~~(5) ("Direct emissions" means emissions of greenhouse gases from sources of emissions, including stationary combustion sources, mobile combustion emissions, process emissions, and fugitive emissions.~~

~~(6))~~ "Director" means the director of the department.

~~((7))~~ (6) "Greenhouse gas" and "greenhouse gases" includes carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, ~~((and))~~ sulfur hexafluoride, and any other gas or gases designated by the department by rule.

~~((8) "Indirect emissions" means emissions of greenhouse gases associated with the purchase of electricity, heating, cooling, or steam.~~

~~(9))~~ (7) "Person" means an individual, partnership, franchise holder, association, corporation, a state, a city, a county, or any subdivision or instrumentality of the state.

~~((10))~~ (8) "Program" means the department's climate change program.

~~((11) "Total emissions of greenhouse gases" means all direct emissions and all indirect emissions.~~

~~(12))~~ (9) "Western climate initiative" means the collaboration of states, Canadian provinces, Mexican states, and tribes to design a multisector market-based mechanism as directed under the western regional climate action initiative signed by the governor on February 22, 2007.

Sec. 2. RCW 70.94.151 and 2008 c 14 s 5 are each amended to read as follows:

(1) The board of any activated authority or the department, may classify air contaminant sources, by ordinance, resolution, rule or regulation, which in its judgment may cause or contribute to air pollution, according to levels and types of emissions and other characteristics which cause or contribute to air pollution, and may require registration or reporting or both for any such class or classes. Classifications made pursuant to this section may be for application to the area of jurisdiction of such authority, or the state as a whole or to any designated area within the jurisdiction, and shall be made with special reference to effects on health, economic and social factors, and physical effects on property.

(2) Except as provided in subsection (3) of this section, any person operating or responsible for the operation of air contaminant sources of any class for which the ordinances, resolutions, rules or regulations of the department or board of the authority, require registration or reporting shall register therewith and make reports containing information as may be required by such department or board concerning location, size and height of contaminant outlets, processes employed, nature of the contaminant emission and such other information as is relevant to air pollution and available or reasonably capable of being assembled. In the case of emissions of greenhouse gases as defined in RCW 70.235.010 the department shall adopt rules requiring reporting of those emissions. The department or

board may require that such registration or reporting be accompanied by a fee, and may determine the amount of such fee for such class or classes: PROVIDED, That the amount of the fee shall only be to compensate for the costs of administering such registration or reporting program which shall be defined as initial registration and annual or other periodic reports from the source owner providing information directly related to air pollution registration, on-site inspections necessary to verify compliance with registration requirements, data storage and retrieval systems necessary for support of the registration program, emission inventory reports and emission reduction credits computed from information provided by sources pursuant to registration program requirements, staff review, including engineering or other reliable analysis for accuracy and currentness, of information provided by sources pursuant to registration program requirements, clerical and other office support provided in direct furtherance of the registration program, and administrative support provided in directly carrying out the registration program: PROVIDED FURTHER, That any such registration made with either the board or the department shall preclude a further registration and reporting with any other board or the department, except that emissions of greenhouse gases as defined in RCW 70.235.010 must be reported as required under subsection (5) of this section.

All registration program and reporting fees collected by the department shall be deposited in the air pollution control account. All registration program fees collected by the local air authorities shall be deposited in their respective treasuries.

(3) If a registration or report has been filed for a grain warehouse or grain elevator as required under this section, registration, reporting, or a registration program fee shall not, after January 1, 1997, again be required under this section for the warehouse or elevator unless the capacity of the warehouse or elevator as listed as part of the license issued for the facility has been increased since the date the registration or reporting was last made. If the capacity of the warehouse or elevator listed as part of the license is increased, any registration or reporting required for the warehouse or elevator under this section must be made by the date the warehouse or elevator receives grain from the first harvest season that occurs after the increase in its capacity is listed in the license.

This subsection does not apply to a grain warehouse or grain elevator if the warehouse or elevator handles more than ten million bushels of grain annually.

(4) For the purposes of subsection (3) of this section:

(a) A "grain warehouse" or "grain elevator" is an establishment classified in standard industrial classification (SIC) code 5153 for wholesale trade for which a license is required and includes, but is not limited to, such a licensed facility that also conducts cleaning operations for grain;

(b) A "license" is a license issued by the department of agriculture licensing a facility as a grain warehouse or grain elevator under chapter 22.09 RCW or a license issued by the federal government licensing a facility as a grain warehouse or grain elevator for purposes similar to those of licensure for the facility under chapter 22.09 RCW; and

(c) "Grain" means a grain or a pulse.

(5)(a) The department shall adopt rules requiring ~~((the reporting of))~~ persons to report emissions of greenhouse gases as defined in RCW 70.235.010 ~~((The rules must include a de minimis amount of emissions below which reporting will not be required for both indirect and direct emissions. The rules must require that emissions of greenhouse gases resulting from the burning of fossil fuels be reported separately from emissions of greenhouse gases resulting from the burning of biomass. Except as provided in (b) of this subsection, the department shall, under the authority granted in subsection (1) of this section, adopt rules requiring any owner or operator: (i) Of a fleet of on road motor vehicles that as a fleet emit at least twenty five hundred metric tons of greenhouse gas annually in~~

the state to report the emissions of greenhouse gases generated from or emitted by that fleet; or (ii) of a source or combination of sources that emit at least ten thousand metric tons of greenhouse gas annually in the state to report their total annual emissions of greenhouse gases. In calculating emissions of greenhouse gases for purposes of determining whether or not reporting is required, only direct emissions shall be included. For purposes of reporting emissions of greenhouse gases in chapter 14, Laws of 2008, "source" means any stationary source as defined in RCW 70.94.030, or mobile source used for transportation of people or cargo. The emissions of greenhouse gases must be reported as carbon dioxide equivalents. The rules must require that persons report 2009 emissions starting in 2010. The rules must establish an annual reporting schedule that takes into account the time needed to allow the owner or operator reporting emissions of greenhouse gases to gather the information needed and to verify the emissions being reported. However, in no event may reports be submitted later than October 31st of the year in which the report is due. The department may phase in the reporting requirements for sources or combinations of sources under (a)(ii) of this subsection until the reporting threshold is met, which must be met by January 1, 2012. The department may from time to time amend the rules to include other persons that emit less than the annual greenhouse gas emissions levels set out in this subsection if necessary to comply with any federal reporting requirements for emissions of greenhouse gases.

~~(b) In its rules, the department may defer the reporting requirement under (a) of this subsection for emissions associated with interstate and international commercial aircraft, rail, truck, or marine vessels until (i) there is a federal requirement to report these emissions; or (ii) the department finds that there is a generally accepted reporting protocol for determining interstate emissions from these sources.)~~ where those emissions from a single facility, source, or site, or from fossil fuels sold in Washington by a single supplier meet or exceed ten thousand metric tons of carbon dioxide equivalent annually. The department may phase in the requirement to report greenhouse gas emissions until the reporting threshold in this subsection is met, which must occur by January 1, 2012. In addition, the rules must require that:

~~(i) Emissions of greenhouse gases resulting from the combustion of fossil fuels be reported separately from emissions of greenhouse gases resulting from the combustion of biomass;~~

~~(ii) Reporting will start in 2010 for 2009 emissions. Each annual report must include emissions data for the preceding calendar year and must be submitted to the department by October 31st of the year in which the report is due. However, starting in 2011, a person who is required to report greenhouse gas emissions to the United States environmental protection agency under 40 C.F.R. Part 98, as adopted on September 22, 2009, must submit the report required under this section to the department concurrent with the submission to the United States environmental protection agency. Except as otherwise provided in this section, the data for emissions in Washington and any corrections thereto that are reported to the United States environmental protection agency must be the emissions data reported to the department; and~~

~~(iii) Emissions of carbon dioxide associated with the complete combustion or oxidation of liquid motor vehicle fuel, special fuel, or aircraft fuel that is sold in Washington where the annual emissions associated with that combustion or oxidation equal or exceed ten thousand metric tons be reported to the department. Each person who is required to file periodic tax reports of motor vehicle fuel sales under RCW 82.36.031 or special fuel sales under RCW 82.38.150, or each distributor of aircraft fuel required to file periodic tax reports under RCW 82.42.040 must report to the department the annual emissions of carbon dioxide from the complete combustion or oxidation of the fuels listed in those reports as sold in the state of Washington. The department shall not require suppliers to use~~

additional data to calculate greenhouse gas emissions other than the data the suppliers report to the department of licensing. The rules may allow this information to be aggregated when reported to the department. The department and the department of licensing shall enter into an interagency agreement to ensure proprietary and confidential information is protected if the departments share reported information. Any proprietary or confidential information exempt from disclosure when reported to the department of licensing is exempt from disclosure when shared by the department of licensing with the department under this provision.

(b)(i) Except as otherwise provided in this subsection, the rules adopted by the department under (a) of this subsection must be consistent with the regulations adopted by the United States environmental protection agency in 40 C.F.R. Part 98 on September 22, 2009.

(ii) The department may by rule include additional gases to the definition of "greenhouse gas" in RCW 70.235.010 only if the gas has been designated as a greenhouse gas by the United States congress or by the United States environmental protection agency. Prior to including additional gases to the definition of "greenhouse gas" in RCW 70.235.010, the department shall notify the appropriate committees of the legislature. Decisions to amend the rule to include additional gases must be made prior to December 1st of any year and the amended rule may not take effect before the end of the regular legislative session in the next year.

(iii) The department may by rule exempt persons who are required to report greenhouse gas emissions to the United States environmental protection agency and who emit less than ten thousand metric tons carbon dioxide equivalent annually.

(iv) The department must establish a methodology for persons who are not required to report under this section to voluntarily report their greenhouse gas emissions.

(c) The department shall review and if necessary update its rules whenever the United States environmental protection agency adopts final amendments to 40 C.F.R. Part 98 to ensure consistency with federal reporting requirements for emissions of greenhouse gases. However, the department shall not amend its rules in a manner that conflicts with (a) of this subsection.

(d) The department shall share any reporting information reported to it with the local air authority in which the ((owner or operator) person reporting under the rules adopted by the department operates.

~~((e))~~ (e) The fee provisions in subsection (2) of this section apply to reporting of emissions of greenhouse gases. ((Owners and operators)) Persons required to report under (a) of this subsection who fail to report or pay the fee required in subsection (2) of this section are subject to enforcement penalties under this chapter. The department shall enforce the reporting rule requirements unless it approves a local air authority's request to enforce the requirements for ((sources)) persons operating within the authority's jurisdiction. However, neither the department nor a local air authority approved under this section are authorized to assess enforcement penalties on persons required to report under (a) of this subsection until six months after the department adopts its reporting rule in 2010.

~~((f))~~ (f) The energy facility site evaluation council shall, simultaneously with the department, adopt rules that impose greenhouse gas reporting requirements in site certifications on owners or operators of a facility permitted by the energy facility site evaluation council. The greenhouse gas reporting requirements imposed by the energy facility site evaluation council must be the same as the greenhouse gas reporting requirements imposed by the department. The department shall share any information reported to it from facilities permitted by the energy facility site evaluation council with the council, including notice of a facility that has failed to report as required. The energy facility site evaluation council shall contract with the department to monitor the reporting requirements adopted under this section.

~~((f) In developing its rules, the department shall, with the assistance of the department of transportation, identify a mechanism to report an aggregate estimate of the annual emissions of greenhouse gases generated from or emitted by otherwise unreported on-road motor vehicles.))~~

(g) The inclusion or failure to include any person, source, classes of persons or sources, or types of emissions of greenhouse gases into the department's rules for reporting under this section does not indicate whether such a person, source, or category is appropriate for inclusion in ~~((the multisector market based system designed under RCW 70.235.020))~~ state, regional, or national greenhouse gas reduction programs or strategies. Furthermore, aircraft fuel purchased in the state may not be considered equivalent to aircraft fuel combusted in the state.

~~(h) ((Should the federal government adopt rules sufficient to track progress toward the emissions reductions required by chapter 14, Laws of 2008 governing the reporting of greenhouse gases, the department shall amend its rules, as necessary, to seek consistency with the federal rules to ensure duplicate reporting is not required. Nothing in this section requires the department to increase the reporting threshold established in (a) of this subsection or otherwise require the department's rules be identical to the federal rules in scope.))~~ (i) The definitions in RCW 70.235.010 apply throughout this subsection (5) unless the context clearly requires otherwise.

(ii) For the purpose of this subsection (5), the term "supplier" includes: (A) A motor vehicle fuel supplier or a motor vehicle fuel importer, as those terms are defined in RCW 82.36.010; (B) a special fuel supplier or a special fuel importer, as those terms are defined in RCW 82.38.020; and (C) a distributor of aircraft fuel, as those terms are defined in RCW 82.42.010.

(iii) For the purpose of this subsection (5), the term "person" includes: (A) An owner or operator, as those terms are defined by the United States environmental protection agency in its mandatory greenhouse gas reporting regulation in 40 C.F.R. Part 98, as adopted on September 22, 2009; and (B) a supplier."

Correct the title.

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

Amendment (1420) was adopted.

Representative Orcutt moved the adoption of amendment (1423).

On page 7, line 16 of the amendment, after "gases" insert "a person who is required to report greenhouse gas emissions to the United States environmental protection agency under 40 C.F.R. Part 98, as adopted on September 22, 2009, does not have to pay the fee provisions in subsection (2) of this section when providing the department a copy of the federal submission as required in (a)(ii) of this subsection"

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

Representative Upthegrove spoke against the adoption of the amendment.

Amendment (1423) was not adopted.

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

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

Representative Rodne spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6373, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6373, as amended by the House, and the bill passed the House by the following vote: Yeas, 79; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Representatives Anderson, Angel, Appleton, Bailey, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Crouse, Dammeier, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rolfes, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Walsh, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Armstrong, Chandler, Condotta, DeBolt, Ericksen, Haler, Herrera, Hinkle, Johnson, Klippert, Kristiansen, O'Brien, Pearson, Rodne, Ross, Taylor, Wallace and Warnick.

SUBSTITUTE SENATE BILL NO. 6373, as amended by the House, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6476, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Stevens, Hargrove, Fraser, Swecker, Delvin, Brandland, Holmquist, Becker, Parlette, Carrell, Hewitt, Schoesler, King, Roach and Kohl-Welles)

Revising provisions relating to sex crimes involving minors.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Ways & Means, was adopted. (For Committee amendment, see Journal, Day 49, February 28, 2010).

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

Representatives Dickerson, Dammeier, Parker, O'Brien and Herrera spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 6476, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 6476, as amended by the House, and the

bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

ENGROSSED SUBSTITUTE SENATE BILL NO. 6476, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6485, by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Marr, King, Kohl-Welles, Hewitt, Hatfield, Delvin, Hobbs and Rockefeller)

Modifying craft distillery provisions.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Commerce & Labor, was adopted. (For Committee amendment, see Journal, Day 44, February 23, 2010).

Representative Conway moved the adoption of amendment (1385).

On page 3, line 35, after "spirits" strike "distilled"

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

Amendment (1385) was adopted.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6485, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6485, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler,

Hasegawa, Herrera, Hinkle, Hope, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Hudgins.

SUBSTITUTE SENATE BILL NO. 6485, as amended by the House, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute Senate Bill No. 6485.

Brad Klippert, 8th District

SECOND READING

SENATE BILL NO. 6487, by Senators Franklin, Pridemore, Keiser, Carrell, Pflug, Schoesler, Delvin and Kline

Repealing the expiration of the fair payment for chiropractic services requirement.

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 Cody spoke in favor of the passage of the bill.

Representative Ericksen spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 6487.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6487, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Ericksen.

SENATE BILL NO. 6487, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6207, by Senate Committee on Transportation (originally sponsored by Senator Haugen)

Allowing local governments to create golf cart zones.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 47, February 26, 2010).

With the consent of the House, amendment (1388) was withdrawn.

Representative Klippert moved the adoption of amendment (1350) to the committee amendment:

On page 3, line 4 of the amendment, after "zone." insert "The signage must designate the authorizing local ordinance for public information and law enforcement purposes."

Representatives Klippert, Klippert (again) and Haler spoke in favor of the adoption of the amendment to the committee amendment.

Representatives Simpson and Liias spoke against the adoption of the amendment to the committee amendment.

Amendment (1350) to the committee amendment was not adopted.

The committee amendment by the Committee on Transportation was adopted.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6207, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6207, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko,

Taylor, Uptegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Goodman and Orcutt.

SUBSTITUTE SENATE BILL NO. 6207, as amended by the House, having received the necessary constitutional majority, was declared passed.

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

SECOND READING

SUBSTITUTE SENATE BILL NO. 6345, by Senate Committee on Transportation (originally sponsored by Senators Eide, Regala, Delvin, Haugen, Kohl-Welles, Rockefeller, Keiser, Fairley, Kline, Tom and Fraser)

Addressing the use of wireless communications devices while driving.

The bill was read the second time.

Representative Anderson moved the adoption of amendment (1442).

On page 3, line 10, after "years," strike "and" and insert "~~(and)~~"

On page 3, line 12, after "license" insert ", and (iii) that the ability of the applicant's wireless communication device to send or receive a text message has been blocked."

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

Representative Liias spoke against the adoption of the amendment.

Amendment (1442) was not adopted.

Representative Roach moved the adoption of amendment (1368).

On page 4, beginning on line 23, strike all of section 3 Renumber the remaining sections consecutively and correct any internal references accordingly. Correct the title.

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

Amendment (1368) was adopted.

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

Representatives Carlyle and Roach spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6345, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6345, as amended by the House, and the bill passed the House by the following vote: Yeas, 86; Nays, 12; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Haigh, Haler, Hasegawa, Herrera, Hope, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Klippert, Kretz, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Chandler, Goodman, Green, Hinkle, Hudgins, Hunt, Kirby, Kristiansen, Morris, Pearson, Schmick and Taylor.

SUBSTITUTE SENATE BILL NO. 6345, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5798, by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Kohl-Welles, McCaslin, Keiser, Pflug and Kline)

Concerning medical marijuana.

The bill was read the second time.

With the consent of the House, amendment (1348) was withdrawn.

Representative Cody moved the adoption of amendment (1444).

On page 3, line 30, after "(6)" insert "For an authorization of marijuana use written on or after the effective date of this act."

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

Amendment (1444) was adopted.

Representative Ericksen moved the adoption of amendment (1441).

On page 3, beginning on line 32, after "professional," strike all material through "records" on line 33 and insert "~~((or a copy of the qualifying patient's pertinent medical records))~~ written on a tamper-resistant paper approved by the Board of Pharmacy pursuant to RCW 18.64.500"

On page 3, line 35, after "marijuana;" insert "and"

On page 3, beginning on line 37, after "RCW 46.20.035" strike all material through "original" on page 4, line 3 and insert "~~((and (e) A copy of the physician statement described in (a) of this subsection shall have the same force and effect as the signed original))~~"

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

Amendment (1441) was adopted.

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

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5798, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5798, as amended by the House, and the bill passed the House by the following vote: Yeas, 59; Nays, 39; Absent, 0; Excused, 0.

Voting yea: Representatives Anderson, Appleton, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hunt, Hunter, Jacks, Kagi, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Armstrong, Bailey, Chandler, Condotta, Crouse, Dammeier, DeBolt, Driscoll, Ericksen, Fagan, Haler, Herrera, Hinkle, Hope, Hudgins, Hurst, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, Miloscia, Nealey, Orcutt, Parker, Pearson, Priest, Roach, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor and Warnick.

SUBSTITUTE SENATE BILL NO. 5798, as amended by the House, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute Senate Bill No. 5798.

Tim Probst, 17th District

SECOND READING

SUBSTITUTE SENATE BILL NO. 6470, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Kauffman, Hargrove, Prentice, Gordon, Regala, Keiser, McAuliffe, Stevens and Kline)

Addressing the burdens of proof required in dependency matters affecting Indian children.

The bill was read the second time.

Representative Pedersen moved the adoption of amendment (1286).

On page 5, beginning on line 25, after "relationship" strike all material through "child" on line 31 and insert "of an Indian child as defined in 25 U.S.C. Sec. 1903, no termination of parental rights may be ordered in such proceeding in the absence of a determination, supported by evidence beyond a reasonable doubt, including testimony of qualified expert witnesses, that the continued custody of the child by the parent or Indian custodian is

likely to result in serious emotional or physical damage to the child"

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

Amendment (1286) was adopted.

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

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6470, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6470, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 6470, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5668, by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Berkey, Schoesler, McCaslin, Benton and Marr)

Restricting the use of consignment contracts in the sale of used manufactured/mobile homes.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Commerce & Labor was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 44, February 23, 2010).

With the consent of the House, amendment (1367) was withdrawn.

Representative Condotta moved the adoption of amendment (1422) to the committee amendment:

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

"NEW SECTION. Sec. 1. The legislature finds that adding requirements to the use of consignment contracts and listing dealer agreements for the sale of manufactured/mobile homes is necessary to protect the interests of homeowners, especially those who are elderly.

The legislature intends this act to ensure a transparent transaction between the parties involved in the sale of a used manufactured/mobile home.

NEW SECTION. Sec. 2. A new section is added to chapter 46.70 RCW to read as follows:

(1) As used in this section:

(a) "Consignment" means an arrangement where a vehicle dealer accepts delivery or entrustment of a used manufactured/mobile home and agrees to sell the used manufactured/mobile home on behalf of another.

(b) "Listing agreement" means a contract between a seller of a used manufactured/mobile home and a listing dealer to locate a willing buyer for the used manufactured/mobile home.

(2) The consignment contract used under this section must state the minimum agreed upon amount which will be paid to the consignor and the maximum percentage or dollar value of commission to be paid to the listing dealer or other vehicle dealer for the sale of the used manufactured/mobile home. The listing dealer or other vehicle dealer shall remit to the consignor any monies received above and beyond the agreed upon maximum percentage or dollar value of commission.

(3) The listing agreement used under this section must state the maximum percentage or dollar value of commission to be paid to the listing dealer or other vehicle dealer for the sale of the used manufactured/mobile home.

(4) The listing dealer or other vehicle dealer shall negotiate the purchase agreement between the seller and buyer of the used manufactured/mobile home, which must include the following procedure:

(a) All written purchase offers bearing the buyer's signature must immediately be delivered to the seller for acceptance or refusal.

(b) The seller accepts the purchase agreement by signing the offer. A copy of the purchase agreement must be delivered to the buyer immediately following the seller signing and accepting the offer as proof that the buyer's purchase offer was accepted.

(c) Any counteroffers or amendments to the purchase agreement must also bear the signatures of both the buyer and seller, and copies of the counteroffers or amendments must be delivered to each party.

(5) The listing dealer or other vehicle dealer must follow all other requirements under this chapter.

NEW SECTION. Sec. 3. A new section is added to chapter 46.70 RCW to read as follows:

A listing dealer or other vehicle dealer of manufactured/mobile homes acting on behalf of a seller for the sale and transfer of a used manufactured/mobile home shall complete and attach to any listing agreement the following notice:

NOTICE

The description and physical location of the used

manufactured/mobile home to be sold under this

listing agreement is

.....

.....

The commission to be paid to the listing dealer or other vehicle dealer for the sale of the used manufactured/mobile home is

Any changes to the commission to be paid to the listing dealer or other vehicle dealer for the sale of the used manufactured/mobile home must be

Sec. 4. RCW 46.70.028 and 2000 c 131 s 2 are each amended to read as follows:

Dealers who transact dealer business by consignment shall obtain a consignment contract for sale and shall comply with applicable provisions of this chapter ((46.70 RCW)). The dealer shall place all funds received from the sale of the consigned vehicle in a trust account until the sale is completed, except that the dealer shall pay any outstanding liens against the vehicle from these funds. Where title has been delivered to the purchaser, the dealer shall pay the amount due a consignor within ten days after the sale. However, in the case of a consignment from a licensed vehicle dealer from any state, the wholesale auto auction shall pay the consignor within twenty days. Dealers are also subject to the requirements of sections 2 and 3 of this act when engaged in the consignment of a used manufactured/mobile home.

Sec. 5. RCW 46.70.029 and 2001 c 64 s 8 are each amended to read as follows: Listing dealers shall transact dealer business by obtaining a listing agreement for sale, and the buyer's purchase of the mobile home shall be handled as dealer inventory. All funds from the purchaser shall be placed in a trust account until the sale is completed, except that the dealer shall pay any outstanding liens against the mobile home from these funds. Where title has been delivered to the purchaser, the listing dealer shall pay the amount due a seller within ten days after the sale of a listed mobile home. A complete account of all funds received and disbursed shall be given to the seller or consignor after the sale is completed. The sale of listed mobile homes imposes the same duty under RCW 46.70.122 on the listing dealer as any other sale. Listing dealers are also subject to the requirements of sections 2 and 3 of this act."

Correct the title.

Representatives Condotta and Wood spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (1422) to the committee amendment was adopted.

The committee amendment by the committee on Commerce & Labor was adopted as amended.

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

Representatives Wood, Condotta and Conway spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5668, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5668, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5668, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6510, by Senate Committee on Transportation (originally sponsored by Senators Kilmer and Sheldon)

Extending state route number 166.

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 Seaquist, Roach and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6510.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6510, and the bill passed the House by the following vote: Yeas, 93; Nays, 5; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Flannigan, Hudgins, Klippert, Orcutt and Takko.

SUBSTITUTE SENATE BILL NO. 6510, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 6555, by Senators Tom and Haugen

Removing state route number 908 from the state highway system.

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 Eddy, Roach and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Senate Bill No. 6555.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6555, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SENATE BILL NO. 6555, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6558, by Senate Committee on Transportation (originally sponsored by Senator Haugen)

Addressing timelines for the issuance of final orders applicable to railroad crossing petitions. Revised for 1st Substitute: Concerning petitions for administrative review of railroad crossing closures.

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 Clibborn and Roach spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6558.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6558, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 6558, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6577, by Senate Committee on Transportation (originally sponsored by Senators Kastama, Berkey, Swecker, Haugen, Kilmer and Shin)

Modifying the statewide transportation system policy goals. Revised for 1st Substitute: Modifying the transportation system policy goals.

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 Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6577.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6577, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 6577, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6639, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Brown, Stevens, Gordon and Shin)

Creating alternatives to total confinement for nonviolent offenders with minor children.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Ways & Means, was adopted. (For Committee amendment, see Journal, Day 49, February 28, 2010).

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

Representatives Dammeier, Roberts and Linville spoke in favor of the passage of the bill.

Representative Short spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6639, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6639, as amended by the House, and the bill passed the House by the following vote: Yeas, 79; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Bailey, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Santos, Seaquist, Sells, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Armstrong, Chandler, Condotta, Crouse, Fagan, Haler, Johnson, Klippert, Kretz, Kristiansen, Nealey, Orcutt, Parker, Pearson, Ross, Schmick, Shea, Short and Taylor.

SUBSTITUTE SENATE BILL NO. 6639, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6649, by Senate Committee on Transportation (originally sponsored by Senators King, Marr, Swecker, Haugen, Tom and Shin)

Streamlining the content and release requirements of driving record abstracts.

The bill was read the second time.

Representative Dammeier moved the adoption of amendment (1389).

On page 7, after line 17, insert the following:

"(iii) Upon request of the person named in the abstract provided under this subsection, and upon that same person furnishing copies of all records indicating that the person was not at fault in a motor vehicle accident, the department must indicate on any abstract provided under this subsection that the person was not at fault in the motor vehicle accident according to the authority indicating that the person was not at fault."

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

Amendment (1389) was adopted.

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

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6649, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6649, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 6649, as amended by the House, having received the necessary constitutional majority, was declared passed.

SECOND SUBSTITUTE SENATE BILL NO. 6679, by Senate Committee on Ways & Means (originally sponsored by Senators Kauffman, Kastama and Shin)

Concerning the small business export finance assistance center.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on General Government Appropriations, was adopted.

(For Committee amendment, see Journal, Day 46, February 25, 2010).

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

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Second Substitute Senate Bill No. 6679, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute Senate Bill No. 6679, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Chandler.

SECOND SUBSTITUTE SENATE BILL NO. 6679, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6816, by Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senator Schoesler)

Concerning special permitting for certain farm implements.

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6816.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6816, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 6816, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which SUBSTITUTE SENATE BILL NO. 5798 passed the House.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5798, on reconsideration.

ROLL CALL

The Clerk called the roll on final passage of Substitute Senate Bill No. 5798, on reconsideration, and the bill passed the House by the following vote: Yeas: 59 Nays: 39 Absent: 0 Excused: 0

Voting yea: Representatives Anderson, Appleton, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hunt, Hunter, Jacks, Johnson, Kagi, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, White, Williams, Wood, and Mr. Speaker

Voting nay: Representatives Alexander, Angel, Armstrong, Bailey, Chandler, Condotta, Crouse, Dammeier, DeBolt, Driscoll, Ericksen, Fagan, Haler, Herrera, Hinkle, Hope, Hudgins, Hurst, Kelley, Klippert, Kretz, Kristiansen, McCune, Miloscia, Nealey, Orcutt, Parker, Pearson, Priest, Probst, Roach, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, and Warnick

SUBSTITUTE SENATE BILL NO. 5798, on reconsideration, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which SUBSTITUTE SENATE BILL NO. 6639 passed the House.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6639, on reconsideration.

ROLL CALL

The Clerk called the roll on final passage of Substitute Senate Bill No. 6639, on reconsideration, and the bill passed the House by the following vote: Yeas, 77; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Bailey, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Santos, Seaquist, Sells, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Armstrong, Chandler, Condotta, Crouse, Ericksen, Fagan, Haler, Herrera, Johnson, Klippert, Kretz, Kristiansen, Nealey, Orcutt, Parker, Pearson, Ross, Schmick, Shea, Short and Taylor.

SUBSTITUTE SENATE BILL NO. 6639, on reconsideration, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which SUBSTITUTE SENATE BILL NO. 5798 passed the House.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5798, on reconsideration.

ROLL CALL

The Clerk called the roll on final passage of Substitute Senate Bill No. 5798, on reconsideration, and the bill passed the House by the following vote: Yeas, 58; Nays, 40; Absent, 0; Excused, 0.

Voting yea: Representatives Anderson, Appleton, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hunt, Hunter, Jacks, Kagi, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Armstrong, Bailey, Chandler, Condotta, Crouse, Dammeier, DeBolt, Driscoll, Ericksen, Fagan, Haler, Herrera, Hinkle, Hope, Hudgins, Hurst, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, Miloscia, Nealey, Orcutt, Parker, Pearson, Priest, Probst, Roach, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor and Warnick.

There being no objection, the House immediately reconsidered the vote by which SUBSTITUTE SENATE BILL NO. 6349 passed the House.

There being no objection, the rules were suspended and SUBSTITUTE SENATE BILL NO. 6349 was returned to second reading for the purpose of amendment.

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

SECOND READING

SUBSTITUTE SENATE BILL NO. 6349, by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Ranker, Holmquist, Haugen, Hobbs, Becker, Shin and Roach)

Establishing a farm internship program.

There being no objection, the committee amendment by the Committee on Commerce & Labor was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 44, February 23, 2010).

With the consent of the House, amendment (1291) was not adopted and amendment (1343) was withdrawn.

Representative Conway moved the adoption of amendment (1355) to the committee amendment:

On page 4, beginning on line 27 of the striking amendment, after "(10)" strike all material through "(11)" on line 30

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

Amendment (1355) to the committee amendment was adopted.

Representative Pettigrew moved the adoption of amendment (1446) to the committee amendment.

On page 8, after line 29 of the striking amendment, insert the following:

"NEW SECTION, Sec. 5. Appropriations made for purposes of this act must be from the state general fund."

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

Representatives Pettigrew and Condotta spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (1446) to the committee amendment was adopted.

The committee amendment by the Committee on Commerce & Labor was adopted as amended.

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6349, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6349, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst,

Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Chase and Roberts.

SUBSTITUTE SENATE BILL NO. 6349, as amended by the House, having received the necessary constitutional majority, was declared passed.

RECONSIDERATION

There being no objection, the House immediately reconsidered the vote by which SUBSTITUTE SENATE BILL NO. 6485 passed the House.

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

SECOND READING

SUBSTITUTE SENATE BILL NO. 6485, by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Marr, King, Kohl-Welles, Hewitt, Hatfield, Delvin, Hobbs and Rockefeller)

Modifying craft distillery provisions.

There being no objection, the committee amendment by the Committee on Commerce & Labor was not adopted. (For Committee amendment, see Journal, Day 44, February 23, 2010).

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6485.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6485 and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Hudgins and Klippert.

SUBSTITUTE SENATE BILL NO. 6485, as amended by the House, having received the necessary constitutional majority, was declared passed.

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

REPORTS OF STANDING COMMITTEES

March 2, 2010

HB 3191 Prime Sponsor, Representative Hunter: Relating to modifying Washington state excise tax laws to create jobs and to preserve funding for education, public safety, health care, and safety net services for elderly, disabled, and vulnerable people. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Hasegawa, Vice Chair; Conway; Ericks; Santos and Springer.

MINORITY recommendation: Do not pass. Signed by Representatives Orcutt, Ranking Minority Member; Parker, Assistant Ranking Minority Member and Condotta.

There being no objection, HOUSE BILL NO. 3191 listed on the day's standing committee report under the fifth order of business was placed on the second reading calendar.

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

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

HOUSE BILL NO. 2576
 HOUSE BILL NO. 3147
 HOUSE BILL NO. 3181
 HOUSE BILL NO. 3186
 SUBSTITUTE SENATE BILL NO. 6329
 SUBSTITUTE SENATE BILL NO. 6363
 SUBSTITUTE SENATE BILL NO. 6374
 SENATE BILL NO. 6401
 SENATE BILL NO. 6540
 SUBSTITUTE SENATE BILL NO. 6673
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6724
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6726
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6737
 SENATE JOINT MEMORIAL NO. 8025

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

There being no objection, the House adjourned until 10:00 a.m., March 4, 2010, the 53rd Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

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	Messages	1
1913-S		
	Messages	1
2226-S		
	Messages	1
2396-S2		
	Messages	1
2487-S		
	Messages	1
2555-S		
	Messages	1
2560-S		
	Messages	1
2576		
	Other Action	27
2585-S		
	Messages	1
2608		
	Messages	1
2651-S		
	Messages	1
2704-S		
	Messages	1
2789-S		
	Messages	1
2842-S		
	Messages	1
2861		
	Messages	1
3032-S		
	Messages	1
3147		
	Other Action	27
3178		
	Second Reading	9
3178-S		
	Second Reading	9
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3181		
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5046-S		
	President Signed	1
5516		
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5529-S		
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5617		
	President Signed	1

5668-S		
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6197-S		
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6202-S		
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6206		
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6207-S		
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6211-S		
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6213-S		
President Signed.....	1	
6227		
President Signed.....	1	
6229		
President Signed.....	1	
6239-S		
President Signed.....	1	
6241-S		
President Signed.....	9	
6248-S		
Second Reading.....	6	
Third Reading Final Passage.....	6	
6251-S		
President Signed.....	1	
6271-S		
President Signed.....	1	
6273-S		
President Signed.....	1	
6275		
President Signed.....	1	
6279		
Second Reading.....	14	
Third Reading Final Passage.....	14	
6286-S		
President Signed.....	1	
6287		
President Signed.....	1	
6288		
President Signed.....	1	
6297		
President Signed.....	1	
6298-S		
President Signed.....	1	
6299-S		
President Signed.....	1	
6306-S		
President Signed.....	1	

6329-S	Other Action	27
6330	Second Reading	14
	Third Reading Final Passage	14
6337-S	President Signed	1
6341-S	Second Reading	14
	Third Reading Final Passage	15
6342-S	Second Reading	15
	Third Reading Final Passage	15
6345-S	Second Reading	19
	Amendment Offered	20
	Third Reading Final Passage	20
6346-S	Second Reading	6
	Third Reading Final Passage	7
6349-S	Second Reading	8, 26
	Amendment Offered	8, 26
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	Other Action	26
6356-S	Second Reading	15
	Third Reading Final Passage	15
6357-S	President Signed	9
6363-S	Other Action	27
6365	President Signed	1
6367-S	President Signed	1
6371-S	President Signed	1
6373-S	Second Reading	15
	Amendment Offered	16
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6374-S	Other Action	27
6395-S	President Signed	1
6398-S	President Signed	1
6401	Other Action	27
6403-S	Second Reading	5
	Amendment Offered	5
	Third Reading Final Passage	5
6414-S	President Signed	9
6450	President Signed	1
6453	Second Reading	8
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6467	President Signed	1
6470-S	Second Reading	21
	Amendment Offered	21

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6487	
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Third Reading Final Passage	19
6499-S	
President Signed	9
6510-S	
Second Reading	22
Third Reading Final Passage	23
6522-S	
President Signed	9
6524-S	
President Signed	2
6540	
Other Action	27
6543	
President Signed	2
6544-S	
President Signed	2
6546	
President Signed	2
6555	
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Third Reading Final Passage	23
6556-S	
President Signed	9
6558-S	
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Third Reading Final Passage	23
6577-S	
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Third Reading Final Passage	23
6584-S	
President Signed	2
6591-S	
President Signed	2
6627	
President Signed	9
6634-S	
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6639-S	
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Third Reading Final Passage	24
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6639-SThird Reading Final Passage	25
6649-S	
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Amendment Offered	24
Third Reading Final Passage	24
6673-S	
Other Action	27
6674-S	
President Signed	2
6679-S2	
Second Reading	24
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6724-S	
Other Action	27
6726-S	

Other Action	27
6737-S	
Other Action	27
6745	
President Signed	9
6749-S	
President Signed	2
6764	
Second Reading	7
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6804	
Second Reading	5
Amendment Offered	5
Third Reading Final Passage	6
6816-S	
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6826	
Second Reading	7
Amendment Offered	7
Third Reading Final Passage	8
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Other Action	27
8026	
President Signed	2
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