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## FIFTEENTH DAY

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House Chamber, Olympia, Tuesday, May 10, 2011

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall 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 Kyle Overmiller and Brad Snyder. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Jamie Pederson, 43rd District, Washington.

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

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

### MESSAGES FROM THE SENATE

May 9, 2011

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL 5935  
SENATE JOINT MEMORIAL 8009  
and the same are herewith transmitted.  
Brad Hendrickson, Deputy Secretary

May 9, 2011

MR. SPEAKER:

The Senate has passed HOUSE BILL 2070 and the same is herewith transmitted.

Brad Hendrickson, Deputy Secretary

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

### SECOND READING

#### HOUSE BILL NO. 2065, by Representative Hunt

**Regarding the allocation of funding for students enrolled in alternative learning experiences.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2065 was substituted for House Bill No. 2065 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2065 was read the second time.

Representative Dahlquist moved the adoption of amendment (744).

On page 3, line 11, after "completion." insert "School districts may not purchase or contract for instructional or co-curricular experiences and services that are included in an alternative learning experience written student learning plan, including but not limited to lessons, trips, and other activities, unless such experiences and services are provided in the same manner and to the same extent to students enrolled in the district's regular instructional program. School districts that purchase or contract for such experiences and services for students enrolled in an alternative learning experience program must submit an annual report to the office of the superintendent of public instruction detailing the costs and purposes of the expenditures."

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

Amendment (744) was adopted.

Representative Haigh moved the adoption of amendment (754).

On page 3, line 19, after "teacher." insert "The supervising teacher may rely on synchronous digital communication, including telephone or interactive audio or video communications, to meet the requirement for face-to-face, in-person contact with students due to reasons of medical necessity or when the student's temporary travel makes the in-person contact infeasible."

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

Representative Dammeier spoke against the adoption of the amendment.

Amendment (754) was adopted.

The bill was ordered engrossed.

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

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

Representative Pearson spoke against the passage of the bill.

### MOTIONS

On motion of Representative Van De Wege, Representative Hurst was excused. On motion of Representative Hinkle, Representatives Crouse and McCune were excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2065.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2065, and the bill passed the House by the following vote: Yeas, 63; Nays, 32; Absent, 0; Excused, 3.

Voting yea: Representatives Ahern, Alexander, Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dammeier, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kelley, Kenney, Kirby, Klippert, Ladenburg, Lias, Lytton, Maxwell, McCoy, Moeller, Morris, Moscoso, Ormsby, Orwall, Overstreet, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Rolfes, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Warnick, Wylie and Mr. Speaker.

Voting nay: Representatives Anderson, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Condotta, DeBolt, Fagan, Hargrove, Harris, Hope, Johnson, Kretz, Kristiansen, Miloscia, Nealey, Orcutt, Parker, Pearson, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh, Wilcox and Zeiger.

Excused: Representatives Crouse, Hurst and McCune.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2065, having received the necessary constitutional majority, was declared passed.

**SECOND ENGROSSED SENATE BILL NO. 5773, by Senators Zarelli, Baumgartner, Hill, Parlette, Schoesler, Ericksen and Holmquist Newbry**

**Making a health savings account option and high deductible health plan available to public employees. (REVISED FOR ENGROSSED: Making a health savings account option and high deductible health plan option and a direct patient-provider primary care practice option available to public employees.)**

The bill was read the second time.

With the consent of the house, amendments (748), (747) and (746) were withdrawn.

Representative Lias moved the adoption of amendment (765).

On page 6, line 9, after "(6)" insert "(a)"

On page 6, after line 14, insert the following:

"(b) By November 30, 2015, and each year thereafter, the authority shall submit a report to the relevant legislative policy and fiscal committees that includes the following:

(i) Public employee benefits board health plan cost and service utilization trends for the previous three years, in total and for each health plan offered to employees;

(ii) For each health plan offered to employees, the number and percentage of employees and dependents enrolled in the plan, and the age and gender demographics of enrollees in each plan;

(iii) Any impact of enrollment in alternatives to the most comprehensive plan, including the high deductible health plan with a health savings account, upon the cost of health benefits for those employees who have chosen to remain enrolled in the most comprehensive plan."

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

Amendment (765) was adopted.

Representative Cody moved the adoption of amendment (734).

On page 8, beginning on line 19, strike all of sections 2 and 3 and insert the following:

"**NEW SECTION. Sec. 2.** A new section is added to chapter 41.05 RCW to read as follows:

(1) The Washington state health care authority shall develop a plan to incorporate direct patient-provider primary care practices as provided in chapter 48.150 RCW into one or more of the choices of health benefit programs made available to participants in the public employees' benefits board system beginning no later than the open enrollment period beginning November 1, 2012.

(2) The plan will be developed in consultation with the board and interested parties, will identify statutory barriers to implementation, and will include proposed legislation to address those barriers and implement the plan. The plan will be submitted to the board and to the House and Senate health care committees by December 1, 2011." Renumber the remaining sections and correct the title.

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

Amendment (734) 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 Cody and Schmick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Engrossed Senate Bill No. 5773, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Second Engrossed Senate Bill No. 5773, as amended by the House, and the bill passed the House by the following vote: Yeas, 80; Nays, 15; Absent, 0; Excused, 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hinkle, Hope, Hunter, Jinkins, Johnson, Kagi, Kelley, Kenney, Klippert, Kretz, Kristiansen, Ladenburg, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Rivers, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Shea, Short, Smith, Springer, Sullivan, Takko, Taylor, Tharinger, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Fitzgibbon, Hasegawa, Hudgins, Hunt, Kirby, Lias, Ormsby, Orwall, Reykdal, Roberts, Ryu, Sells, Stanford and Upthegrove.

Excused: Representatives Crouse, Hurst and McCune.

SECOND ENGROSSED SENATE BILL NO. 5773, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED HOUSE BILL NO. 1248, by Representatives Hunter and Darneille**

**Authorizing emergency rule making when necessary to implement fiscal reductions.**

The bill was read the second time.

With the consent of the house, amendment (729) was withdrawn.

Representative Hunter moved the adoption of amendment (764).

On page 1, line 18, after "2013" strike all material through "RCW 43.88.110" on page 1, line 19

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

Amendment (764) was adopted.

The bill was ordered engrossed.

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

Representatives Hunter and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1248.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed House Bill No. 1248, and the bill passed the House by the following vote: Yeas, 91; Nays, 4; Absent, 0; Excused, 3.

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

Voting nay: Representatives Morris, Overstreet, Shea and Taylor.

Excused: Representatives Crouse, Hurst and McCune.

ENGROSSED HOUSE BILL NO. 1248, 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**

May 9, 2011

**HB 1410**

Prime Sponsor, Representative Santos: Regarding science end-of-course assessments. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Lytton, Vice Chair; Billig; Finn; Haigh; Hunt; Ladenburg; Liias; Maxwell; McCoy and Probst.

MINORITY recommendation: Do not pass. Signed by Representatives Dammeier, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Ahern; Angel; Dahlquist; Fagan; Hargrove; Klippert; Kretz and Wilcox.

May 9, 2011

**HB 2115**

Prime Sponsor, Representative Haigh: Concerning legislative review of performance standards for the statewide student assessment. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Santos, Chair; Lytton, Vice Chair; Dammeier, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Ahern; Angel; Billig; Fagan; Finn; Haigh; Hargrove; Hunt; Ladenburg; Liias; Maxwell; McCoy; Probst and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist; Klippert and Kretz.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were placed on the second reading calendar.

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

There being no objection, SENATE BILL NO. 5852 was referred to the Committee on Rules. There being no objection, the Committee on Rules was relieved of the following bills and the bills were placed on the second reading calendar

HOUSE BILL NO. 1224  
HOUSE BILL NO. 1701  
HOUSE BILL NO. 2040

**MESSAGES FROM THE SENATE**

May 10, 2011

MR. SPEAKER:

The Senate concurred in the House amendment(s) to the following bills and passed the bills as amended by the House:

ENGROSSED SECOND SUBSTITUTE SENATE BILL 5596  
ENGROSSED SUBSTITUTE SENATE BILL 5927

and the same are herewith transmitted.

Brad Hendrickson, Deputy Secretary

May 10, 2011

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE HOUSE BILL 1277

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ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1795  
and the same are herewith transmitted.

Brad Hendrickson, Deputy Secretary

May 10, 2011

MR. SPEAKER:

The President has signed HOUSE CONCURRENT  
RESOLUTION 4405 and the same is herewith transmitted.

Thomas Hoemann, Secretary

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

There being no objection, the House adjourned until 9:55 a.m.,  
May 11, 2011, the 16th Day of the 1<sup>st</sup> Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

1224	Other Action .....	3
1248	Second Reading .....	2
	Amendment Offered .....	3
	Third Reading Final Passage .....	3
1277-S	Messages .....	4
1410	Committee Report .....	3
	Other Action .....	3
1701	Other Action .....	3
1795-S2	Messages .....	4
2040	Other Action .....	3
2065	Second Reading .....	1
2065-S	Second Reading .....	1
	Amendment Offered .....	1
	Third Reading Final Passage .....	2
2070	Messages .....	1
2115	Committee Report .....	3
	Other Action .....	3
4405	President Signed .....	4
5596-S2	Messages .....	3
5773	Second Reading .....	2
	Amendment Offered .....	2
	Third Reading Final Passage .....	2
5852	Other Action .....	3
5927-S	Messages .....	3
5935-S	Messages .....	1
8009	Messages .....	1