

THIRTY SIXTH DAY

House Chamber, Olympia, Monday, February 13, 2012

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Julia Dougherty and Samuel Leblans. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Brian Wiele, River Ridge Covenant Church; Lacey, Washington.

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

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

There being no objection, the Committee on Rules was relieved of HOUSE BILL NO. 2671 and the bill was placed on the second reading calendar.

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

MESSAGES FROM THE SENATE

February 11, 2012

MR. SPEAKER:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5366
ENGROSSED SUBSTITUTE SENATE BILL NO. 5575
ENGROSSED SUBSTITUTE SENATE BILL NO. 5978
ENGROSSED SENATE BILL NO. 6141
ENGROSSED SENATE BILL NO. 6155
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6204
ENGROSSED SENATE BILL NO. 6255
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6284
ENGROSSED SUBSTITUTE SENATE BILL NO. 6345
ENGROSSED SUBSTITUTE SENATE BILL NO. 6383
ENGROSSED SUBSTITUTE SENATE BILL NO. 6392
ENGROSSED SUBSTITUTE SENATE BILL NO. 6462
ENGROSSED SUBSTITUTE SENATE BILL NO. 6555

and the same are herewith transmitted.

Thomas Hoemann, Secretary

February 11, 2012

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5982
SUBSTITUTE SENATE BILL NO. 5996
ENGROSSED SUBSTITUTE SENATE BILL NO. 6009
SUBSTITUTE SENATE BILL NO. 6088
SENATE BILL NO. 6108
SUBSTITUTE SENATE BILL NO. 6121
ENGROSSED SENATE BILL NO. 6217

SENATE BILL NO. 6289
SENATE BILL NO. 6290
ENGROSSED SUBSTITUTE SENATE BILL NO. 6355
ENGROSSED SUBSTITUTE SENATE BILL NO. 6356
SUBSTITUTE SENATE BILL NO. 6359
SUBSTITUTE SENATE BILL NO. 6371
SENATE BILL NO. 6571

and the same are herewith transmitted.

Thomas Hoemann, Secretary
February 11, 2012

MR. SPEAKER:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 5251
SECOND SUBSTITUTE SENATE BILL NO. 5576
SUBSTITUTE SENATE BILL NO. 6081
SUBSTITUTE SENATE BILL NO. 6138
SUBSTITUTE SENATE BILL NO. 6187
SENATE BILL NO. 6349
SUBSTITUTE SENATE BILL NO. 6386
SUBSTITUTE SENATE BILL NO. 6444
SENATE BILL NO. 6465
SUBSTITUTE SENATE BILL NO. 6472

and the same are herewith transmitted.

Thomas Hoemann, Secretary

INTRODUCTIONS AND FIRST READING

HB 2783 by Representatives Uptegrove and Short

AN ACT Relating to coal transition power; amending RCW 19.285.030, 19.285.040, 19.29A.010, and 19.29A.060; and reenacting and amending RCW 80.80.010.

Referred to Committee on Environment.

ESB 5159 by Senators Schoesler, Conway, Fain, Holmquist Newbry, Carrell, Murray, Becker, Haugen, Hobbs, Pridemore, Rockefeller, Roach, McAuliffe and Kilmer

AN ACT Relating to transferring service credit and contributions into the Washington state patrol retirement system by members who served as commercial vehicle enforcement officers and communications officers and then became commissioned troopers in the Washington state patrol; and adding a new section to chapter 41.40 RCW.

Referred to Committee on Ways & Means.

2SSB 5343 by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Haugen, Delvin, Hatfield, Honeyford, Becker, Shin and Schoesler)

AN ACT Relating to air emissions from anaerobic digesters; reenacting and amending RCW 70.94.152; and adding a new section to chapter 70.94 RCW.

Referred to Committee on Environment.

ESSB 5556 by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Prentice, Fain and Keiser)

AN ACT Relating to social card games in an area annexed by a city or town that allowed a house-banked social card game business to continue operating under RCW 9.46.295; and amending RCW 9.46.295.

Referred to Committee on State Government & Tribal Affairs.

ESSB 5697 by Senate Committee on Judiciary (originally sponsored by Senators Hargrove and Schoesler)

AN ACT Relating to requiring firearms safety devices and gun safes to meet minimum standards if purchased, used, or issued by governmental agencies and limiting the civil liability of governmental agencies and agents who provide or properly use approved firearms safety devices or gun safes; and adding a new chapter to Title 42 RCW.

Referred to Committee on Judiciary.

E2SSB 5730 by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senator Rockefeller)

AN ACT Relating to usage-based automobile insurance; and amending RCW 48.19.040 and 42.56.400.

Referred to Committee on Business & Financial Services.

SSB 5966 by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Fraser and Swecker)

AN ACT Relating to establishing the office of the health care authority ombudsman; and adding a new section to chapter 48.02 RCW.

Referred to Committee on Health Care & Wellness.

SSB 5995 by Senate Committee on Government Operations, Tribal Relations & Elections (originally sponsored by Senators Delvin and Hewitt)

AN ACT Relating to urban growth area boundary modifications for industrial land by certain counties; reenacting and amending RCW 36.70A.130; adding a new section to chapter 36.70A RCW; and providing an expiration date.

Referred to Committee on Local Government.

E2SSB 6023 by Senate Committee on Transportation (originally sponsored by Senators Swecker, Prentice, Benton, Pridemore, Schoesler, Haugen, Kilmer, Chase, Hill, Holmquist Newbry, Becker, Ranker, Ericksen, Shin and Frockt)

AN ACT Relating to creating the permit efficiency and accountability committee to select priority economic recovery projects for review by multiagency permitting teams; amending RCW 43.42.030, 43.42.070, 43.42.092, 43.42.095, and 43.79A.040; reenacting and amending RCW 43.84.092; adding new sections to chapter 43.42 RCW; creating new sections; providing an expiration date; and declaring an emergency.

Referred to Committee on State Government & Tribal Affairs.

SSB 6025 by Senate Committee on Judiciary (originally sponsored by Senators Kline, Padden, Eide, Becker, Shin and Tom)

AN ACT Relating to eliminating the mandatory retirement provision for district judges; and repealing RCW 3.74.030.

Referred to Committee on Judiciary.

SSB 6027 by Senate Committee on Environment (originally sponsored by Senator Honeyford)

AN ACT Relating to publicly owned industrial wastewater treatment facilities; and amending RCW 70.146.070, and 90.50A.030.

Referred to Committee on Environment.

SB 6030 by Senators Shin, Kline, Delvin and Regala

AN ACT Relating to license suspension clerical errors; and reenacting and amending RCW 46.61.5055.

Referred to Committee on Judiciary.

SSB 6100 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove and Roach)

AN ACT Relating to clarifying and updating the administration of sexual assault grant programs by the department of commerce; amending RCW 43.280.010, 43.280.011, 43.280.020, 43.280.050, 43.280.060, 43.280.070, 43.280.080, 43.280.090, 70.125.020, 70.125.065, 5.60.060, and 42.56.370; reenacting and amending RCW 70.125.030; and repealing RCW 43.280.030, 43.280.081, 74.14B.060, 70.125.040, 70.125.050, 70.125.055, and 70.125.080.

Referred to Committee on Early Learning & Human Services.

2SSB 6120 by Senate Committee on Ways & Means (originally sponsored by Senators Nelson, Swecker, Harper, Hargrove, Kohl-Welles, Fraser, Kastama, Pridemore, Rolfes, Frockt, Ranker, Regala, Shin, Tom, Kline, Chase, Keiser and Conway)

AN ACT Relating to children's safe products; amending RCW 70.240.010; and adding a new section to chapter 70.240 RCW.

Referred to Committee on Environment.

ESSB 6147 by Senate Committee on Government Operations, Tribal Relations & Elections (originally sponsored by

Senators Prentice, Pridemore, Swecker, Hargrove, Chase, Nelson and Kline)

AN ACT Relating to state jurisdiction over Indian tribes and Indian country; amending RCW 37.12.010; adding new sections to chapter 37.12 RCW; creating a new section; and repealing RCW 37.12.050.

Referred to Committee on State Government & Tribal Affairs.

ESB 6162 by Senators Regala, Kastama, Shin and Frockt

AN ACT Relating to missing endangered persons; and amending RCW 13.60.010 and 13.60.020.

Referred to Committee on Public Safety & Emergency Preparedness.

ESSB 6170 by Senate Committee on Energy, Natural Resources & Marine Waters (originally sponsored by Senators Ranker, Hargrove, King, Hatfield, Harper, Shin and Conway)

AN ACT Relating to the working waterfront redevelopment jobs act; amending RCW 77.55.021, 90.58.147, and 90.58.355; reenacting and amending RCW 43.21B.110 and 43.21B.110; adding a new section to chapter 79.105 RCW; adding a new chapter to Title 77 RCW; creating new sections; providing an effective date; and providing expiration dates.

Referred to Committee on Local Government.

SB 6172 by Senators Benton, Hobbs, Prentice, Keiser, Fain and Chase

AN ACT Relating to franchise investment protection; and amending RCW 19.100.010, 19.100.020, 19.100.030, 19.100.040, 19.100.070, 19.100.080, 19.100.090, 19.100.184, 19.100.130, and 19.100.248.

Referred to Committee on Business & Financial Services.

ESSB 6227 by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Conway, Keiser, Carrell, Frockt, Pflug, Hargrove, Kline and Roach)

AN ACT Relating to establishing a medicaid fraud hotline; adding a new section to chapter 74.09 RCW; and providing an expiration date.

Referred to Committee on Health Care & Wellness.

E2SSB 6232 by Senate Committee on Ways & Means (originally sponsored by Senators Kilmer, Shin, McAuliffe and Eide)

AN ACT Relating to higher education coordination; amending RCW 28B.77.005, 28B.76.110, 28B.76.210, 28B.76.230, 28B.76.235, 28B.76.240, 28B.76.270, 28B.76.325, 28B.76.510, 28B.76.695, 44.04.260, 43.88.230, 28B.76.280, 28B.76.310, 28B.76.090, 9A.60.070, 18.260.110, 28A.600.280, 28A.600.390, 28B.07.040, 28B.10.020, 28B.10.053, 28B.10.118, 28B.10.400, 28B.10.405, 28B.10.410, 28B.10.415, 28B.10.423, 28B.10.784, 28B.10.790, 28B.12.030, 28B.15.068, 28B.15.068,

28B.15.102, 28B.15.460, 28B.30.515, 28B.45.014, 28B.45.020, 28B.45.030, 28B.45.040, 28B.45.080, 28B.50.140, 28B.50.810, 28B.50.820, 28B.65.040, 28B.65.050, 28B.76.250, 28B.85.010, 28B.85.020, 28B.85.030, 28B.85.040, 28B.85.050, 28B.85.060, 28B.85.070, 28B.85.080, 28B.85.090, 28B.85.100, 28B.85.130, 28B.85.170, 28B.90.010, 28B.90.020, 28B.90.030, 28B.92.030, 28B.92.070, 28B.92.082, 28B.97.020, 28B.109.010, 28B.110.030, 28B.110.040, 28B.117.020, 28B.120.010, 28B.120.020, 28B.120.025, 28B.120.030, 28B.120.040, 28C.10.030, 28C.10.040, 28C.18.030, 28C.18.060, 35.104.020, 35.104.040, 42.17A.705, 43.06.115, 43.19.797, 43.41.400, 43.41A.100, 43.88.090, 43.105.825, 43.215.090, 43.330.310, 43.330.375, 47.80.090, 70.180.110, 74.13.570, 28A.175.135, 28A.660.050, 28B.12.040, 28B.12.070, 28B.15.012, 28B.15.762, 28B.15.764, 28B.76.505, 28B.92.080, 28B.95.020, 28B.102.030, 28B.103.030, 28B.108.020, 28B.108.040, 28B.116.030, 28B.117.030, 28B.15.069, 28A.600.310, 28B.15.380, 28B.15.730, 28B.15.734, 28B.15.750, 28B.15.756, 28A.175.130, 28A.600.290, 28A.700.020, 28A.700.060, 28B.20.130, 28B.30.150, 28B.20.308, 28B.20.478, 28B.30.530, 28B.35.120, 28B.35.202, 28B.35.205, 28B.35.215, 28B.40.120, 28B.40.206, 28B.45.060, 43.09.440, 43.43.934, 43.43.938, 43.60A.151, and 43.88D.010; amending 2011 1st sp.s. c 11 s 244 (uncodified); reenacting and amending RCW 28B.76.2401, 28A.230.100, 28B.15.760, 28B.50.030, 28B.92.060, 28B.102.020, 28B.116.010, and 43.330.280; adding new sections to chapter 28B.77 RCW; adding a new section to chapter 28B.76 RCW; adding new sections to chapter 44.04 RCW; adding new sections to chapter 43.41 RCW; creating a new section; recodifying RCW 28B.76.110, 28B.76.210, 28B.76.230, 28B.76.235, 28B.76.240, 28B.76.2401, 28B.76.250, 28B.76.270, 28B.76.280, 28B.76.325, 28B.76.510, 28B.76.695, and 28B.76.310; decodifying RCW 28B.10.125; repealing RCW 28B.76.290, 28B.10.682, 28B.15.732, 28B.15.752, 28B.15.796, 28B.20.280, 28B.30.500, and 43.88D.005; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Higher Education.

ESSB 6260 by Senate Committee on Judiciary (originally sponsored by Senators Delvin, Kohl-Welles, Regala, Roach, Conway, Carrell, Shin, Eide, Ericksen, Litzow, Chase and Stevens)

AN ACT Relating to criminal offenses; amending RCW 9A.40.100, 9A.44.128, 9A.88.120, 9.68A.105, 3.50.100, 3.62.020, 3.62.040, 10.82.070, and 35.20.220; and prescribing penalties.

Referred to Committee on Public Safety & Emergency Preparedness.

2SSB 6263 by Senate Committee on Ways & Means (originally sponsored by Senators Ranker, Hargrove, Delvin, Litzow, Swecker, Rolfes, Schoesler, Kilmer, Fraser, Kohl-Welles, Hobbs and Hatfield)

AN ACT Relating to facilitating marine management planning; and amending RCW 43.372.020, 43.372.030, 43.372.040, and 43.372.070.

Referred to Committee on Agriculture & Natural Resources.

SSB 6315 by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Frockt, Kohl-Welles, Kline, Chase, Keiser, Regala and Nelson)

AN ACT Relating to the fair tenant screening act; amending RCW 59.18.030, 59.18.257, and 19.182.110; and creating a new section.

Referred to Committee on Judiciary.

SB 6350 by Senators Haugen, King, Eide, Fain and Tom

AN ACT Relating to repealing the transportation innovative partnerships act; amending RCW 47.56.030, 47.56.031, and 70.94.528; creating a new section; and repealing RCW 47.29.010, 47.29.020, 47.29.030, 47.29.040, 47.29.050, 47.29.060, 47.29.070, 47.29.080, 47.29.090, 47.29.100, 47.29.110, 47.29.120, 47.29.130, 47.29.140, 47.29.150, 47.29.160, 47.29.170, 47.29.180, 47.29.190, 47.29.200, 47.29.210, 47.29.220, 47.29.230, 47.29.240, 47.29.250, 47.29.260, 47.29.270, 47.29.280, 47.29.290, and 47.29.900.

Referred to Committee on Transportation.

SSB 6421 by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators King, Kline and Holmquist Newbry)

AN ACT Relating to the affidavit of wages paid on public works; and amending RCW 39.12.040.

Referred to Committee on Labor & Workforce Development.

SSB 6423 by Senate Committee on Transportation (originally sponsored by Senators King and Holmquist Newbry)

AN ACT Relating to the definition of farm vehicle; and amending RCW 46.04.181.

Referred to Committee on Transportation.

ESSB 6512 by Senate Committee on Agriculture, Water & Rural Economic Development (originally sponsored by Senators Holmquist Newbry, Kastama and Morton)

AN ACT Relating to irrigation and rehabilitation district administration; amending RCW 87.84.060, 87.84.070, and 87.84.071; and adding a new section to chapter 87.84 RCW.

Referred to Committee on Local Government.

SSJM 8016 by Senate Committee on Economic Development, Trade & Innovation (originally sponsored by Senators Kastama, Shin, Chase, Hatfield, Kilmer and Fraser)

Encouraging the beyond the border action plan on perimeter security and economic competitiveness and the action plan on regulatory cooperation between the United States and Canada.

Referred to Committee on Community & Economic Development & Housing.

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

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

SECOND READING

HOUSE BILL NO. 2239, by Representatives Pedersen, Goodman, Rodne and Hudgins

Establishing social purpose corporations.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2239 was substituted for House Bill No. 2239 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2239 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 Pedersen and Rivers spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2239.

MOTIONS

On motion of Representative Van De Wege, Representatives Stanford and Upthegrove were excused. On motion of Representative Hinkle, Representatives Condotta, Hope and Rodne were excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2239, and the bill passed the House by the following vote: Yeas, 62; Nays, 31; Absent, 0; Excused, 5.

Voting yea: Representatives Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Lias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Nealey, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Probst, Rivers, Roberts, Ryu, Santos, Seaquist, Sells, Smith, Springer, Sullivan, Takko, Tharinger, Van De Wege, Walsh, Warnick and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Buys, Chandler, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Johnson, Klippert, Kretz, Kristiansen, McCune, Orcutt, Overstreet, Parker, Pearson, Reykdal, Ross, Schmick, Shea, Short, Taylor, Wilcox, Wylie and Zeiger.

Excused: Representatives Condotta, Hope, Rodne, Stanford and Upthegrove.

SUBSTITUTE HOUSE BILL NO. 2239, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2669, by Representatives Ormsby and Moscoso

Concerning the definitions of "contractor" and "subcontractor" for the purposes of prevailing wages on public works. Revised for 1st Substitute: Enforcing the payment of prevailing wages.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2669 was substituted for House Bill No. 2669 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2669 was read the second time.

Representative Ahern moved the adoption of amendment (987).

On page 1, line 13, after "wages and" strike "interests" and insert "interest"

On page 1, line 15, after "An entity" strike "is" and insert "may be"

On page 2, beginning on line 1, after "entity." strike all material through "following" on line 3 and insert "Factors that may be considered in determining whether an entity is a successor entity include, but are not limited to, the following"

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

Representative Chandler spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Moeller presiding) divided the House. The result was 52 - YEAS; 41 - NAYS; 5 - EXCUSED.

Amendment (987) was adopted.

The bill was ordered engrossed.

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

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

Representatives Chandler and Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2669.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2669, and the bill passed the House by the following vote: Yeas, 54; Nays, 41; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liiias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Roberts, Ryu, Santos, Seaquist, Sells, Springer, Sullivan, Takko, Tharinger, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Anderson, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Rodne, Stanford and Upthegrove.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2669, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2570, by Representatives Goodman, Hurst and Ross

Addressing metal property theft.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2570 was substituted for House Bill No. 2570 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2570 was read the second time.

Representative Klippert moved the adoption of amendment (1085).

On page 2, line 36, after "(s)" insert "A representative from the Washington state emergency communications committee;

(t) A representative from the AM/FM radio communications industry;

(u)"

Re-number the remaining subsections consecutively and correct any internal references accordingly.

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

Amendment (1085) was adopted.

The bill was ordered engrossed.

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

Representatives Goodman and Pearson 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. 2570.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2570, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

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

Voting nay: Representatives Condotta, Overstreet and Shea.

Excused: Representative Stanford.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2570, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2156, by Representatives Kenney, Sells, Haler, Seaquist, Hansen, Maxwell and Carlyle

Regarding coordination and evaluation of workforce training for aerospace and materials manufacturing.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2156 was substituted for House Bill No. 2156 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2156 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 Kenney and Anderson spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2156.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2156, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst,

Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Hinkle, Overstreet and Taylor.

Excused: Representative Stanford.

SECOND SUBSTITUTE HOUSE BILL NO. 2156, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2263, by Representatives Kagi, Walsh, Carlyle, Ladenburg, Darneille, Goodman, Fitzgibbon, Jinkins, Roberts, Ryu and Kenney

Reinvesting savings resulting from changes in the child welfare system.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2263 was substituted for House Bill No. 2263 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2263 was read the second time.

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

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

Representative Alexander spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2263.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2263, and the bill passed the House by the following vote: Yeas, 59; Nays, 38; Absent, 0; Excused, 1.

Voting yea: Representatives Anderson, Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Roberts, Ryu, Santos, Seaquist, Sells, Springer, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Pearson, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Warnick, Wilcox and Zeiger.

Excused: Representative Stanford.

SUBSTITUTE HOUSE BILL NO. 2263, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2648, by Representatives Cody, Dickerson, Green and Kenney

Removing the expiration for the additional surcharge imposed on registered nurses and licensed practical nurses.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2648 was substituted for House Bill No. 2648 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2648 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2648.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2648, and the bill passed the House by the following vote: Yeas, 79; Nays, 18; Absent, 0; Excused, 1.

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

Voting nay: Representatives Ahern, Buys, Chandler, Condotta, Crouse, Fagan, Haler, Hargrove, Klippert, Kretz, Kristiansen, McCune, Overstreet, Pearson, Schmick, Shea, Short and Taylor.

Excused: Representative Stanford.

SUBSTITUTE HOUSE BILL NO. 2648, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2416, by Representative Takko

Concerning equitable allocation of auditor costs.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2416 was substituted for House Bill No. 2416 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2416 was read the second time.

With the consent of the house, amendment (1042) was withdrawn.

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

Representatives Takko and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2416.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2416, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

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

Voting nay: Representatives Chandler and Taylor.

SUBSTITUTE HOUSE BILL NO. 2416, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2722, by Representatives Parker, Dunshee, Warnick, Zeiger, Angel and Santos

Concerning surplus property.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2722 was substituted for House Bill No. 2722 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2722 was read the second time.

With the consent of the house, amendment (1049) was withdrawn.

Representative Dunshee moved the adoption of amendment (1119).

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.82.010 and 2007 c 506 s 8 are each amended to read as follows:

(1) The director of (~~general administration~~) enterprise services, on behalf of the agency involved and after consultation with the office of financial management, shall purchase, lease, lease purchase, rent, or otherwise acquire all real estate, improved or unimproved, as may be required by elected state officials, institutions, departments, commissions, boards, and other state agencies, or federal agencies where joint state and federal activities are undertaken and may grant

easements and transfer, exchange, sell, lease, or sublease all or part of any surplus real estate for those state agencies which do not otherwise have the specific authority to dispose of real estate. This section does not transfer financial liability for the acquired property to the department of ~~((general administration))~~ enterprise services.

(2) Except for real estate occupied by federal agencies, the director shall determine the location, size, and design of any real estate or improvements thereon acquired or held pursuant to subsection (1) of this section. Facilities acquired or held pursuant to this chapter, and any improvements thereon, shall conform to standards adopted by the director and approved by the office of financial management governing facility efficiency unless a specific exemption from such standards is provided by the director of ~~((general administration))~~ enterprise services. The director of ~~((general administration))~~ enterprise services shall report to the office of financial management and the appropriate committees of the legislature annually on any exemptions granted pursuant to this subsection.

(3) The director of ~~((general administration))~~ enterprise services may fix the terms and conditions of each lease entered into under this chapter, except that no lease shall extend greater than twenty years in duration. The director of ~~((general administration))~~ enterprise services may enter into a long-term lease greater than ten years in duration upon a determination by the director of the office of financial management that the long-term lease provides a more favorable rate than would otherwise be available, it appears a substantial certainty that the facility is necessary for use by the state for the full length of the lease term, and the facility meets the standards adopted pursuant to subsection (2) of this section. The director of ~~((general administration))~~ enterprise services may enter into a long-term lease greater than ten years in duration if an analysis shows that the life-cycle cost of leasing the facility is less than the life-cycle cost of purchasing or constructing a facility in lieu of leasing the facility.

(4) Except as permitted under chapter 39.94 RCW, no lease for or on behalf of any state agency may be used or referred to as collateral or security for the payment of securities offered for sale through a public offering. Except as permitted under chapter 39.94 RCW, no lease for or on behalf of any state agency may be used or referred to as collateral or security for the payment of securities offered for sale through a private placement without the prior written approval of the state treasurer. However, this limitation shall not prevent a lessor from assigning or encumbering its interest in a lease as security for the repayment of a promissory note provided that the transaction would otherwise be an exempt transaction under RCW 21.20.320. The state treasurer shall adopt rules that establish the criteria under which any such approval may be granted. In establishing such criteria the state treasurer shall give primary consideration to the protection of the state's credit rating and the integrity of the state's debt management program. If it appears to the state treasurer that any lease has been used or referred to in violation of this subsection or rules adopted under this subsection, then he or she may recommend that the governor cause such lease to be terminated. The department of ~~((general administration))~~ enterprise services shall promptly notify the state treasurer whenever it may appear to the department that any lease has been used or referred to in violation of this subsection or rules adopted under this subsection.

(5) It is the policy of the state to encourage the collocation and consolidation of state services into single or adjacent facilities, whenever appropriate, to improve public service delivery, minimize duplication of facilities, increase efficiency of operations, and promote sound growth management planning.

(6) The director of ~~((general administration))~~ enterprise services shall provide coordinated long-range planning services to identify and evaluate opportunities for collocating and consolidating state facilities. Upon the renewal of any lease, the inception of a new lease, or the purchase of a facility, the director of ~~((general administration))~~

enterprise services shall determine whether an opportunity exists for collocating the agency or agencies in a single facility with other agencies located in the same geographic area. If a collocation opportunity exists, the director of ~~((general administration))~~ enterprise services shall consult with the affected state agencies and the office of financial management to evaluate the impact collocation would have on the cost and delivery of agency programs, including whether program delivery would be enhanced due to the centralization of services. The director of ~~((general administration))~~ enterprise services, in consultation with the office of financial management, shall develop procedures for implementing collocation and consolidation of state facilities.

(7) The director of ~~((general administration))~~ enterprise services is authorized to purchase, lease, rent, or otherwise acquire improved or unimproved real estate as owner or lessee and to lease or sublet all or a part of such real estate to state or federal agencies. The director of ~~((general administration))~~ enterprise services shall charge each using agency its proportionate rental which shall include an amount sufficient to pay all costs, including, but not limited to, those for utilities, janitorial and accounting services, and sufficient to provide for contingencies; which shall not exceed five percent of the average annual rental, to meet unforeseen expenses incident to management of the real estate.

(8) If the director of ~~((general administration))~~ enterprise services determines that it is necessary or advisable to undertake any work, construction, alteration, repair, or improvement on any real estate acquired pursuant to subsection (1) or (7) of this section, the director shall cause plans and specifications thereof and an estimate of the cost of such work to be made and filed in his or her office and the state agency benefiting thereby is hereby authorized to pay for such work out of any available funds: PROVIDED, That the cost of executing such work shall not exceed the sum of twenty-five thousand dollars. Work, construction, alteration, repair, or improvement in excess of twenty-five thousand dollars, other than that done by the owner of the property if other than the state, shall be performed in accordance with the public works law of this state.

(9) In order to obtain maximum utilization of space, the director of ~~((general administration))~~ enterprise services shall make space utilization studies, and shall establish standards for use of space by state agencies. Such studies shall include the identification of opportunities for collocation and consolidation of state agency office and support facilities.

(10) The director of ~~((general administration))~~ enterprise services may construct new buildings on, or improve existing facilities, and furnish and equip, all real estate under his or her management. Prior to the construction of new buildings or major improvements to existing facilities or acquisition of facilities using a lease purchase contract, the director of ~~((general administration))~~ enterprise services shall conduct an evaluation of the facility design and budget using life-cycle cost analysis, value-engineering, and other techniques to maximize the long-term effectiveness and efficiency of the facility or improvement.

(11) All conveyances and contracts to purchase, lease, rent, transfer, exchange, or sell real estate and to grant and accept easements shall be approved as to form by the attorney general, signed by the director of ~~((general administration))~~ enterprise services or the director's designee, and recorded with the county auditor of the county in which the property is located.

(12) The director of ~~((general administration))~~ enterprise services may delegate any or all of the functions specified in this section to any agency upon such terms and conditions as the director deems advisable. By January 1st of each year, beginning January 1, 2008, the department shall submit an annual report to the office of financial management and the appropriate committees of the legislature on all delegated leases.

(13) This section does not apply to the acquisition of real estate by:

(a) The state college and universities for research or experimental purposes;

(b) The state liquor control board for liquor stores and warehouses; and

(c) The department of natural resources, the department of fish and wildlife, the department of transportation, and the state parks and recreation commission for purposes other than the leasing of offices, warehouses, and real estate for similar purposes.

(14) Notwithstanding any provision in this chapter to the contrary, the department of ~~((general administration))~~ enterprise services may negotiate ground leases for public lands on which property is to be acquired under a financing contract pursuant to chapter 39.94 RCW under terms approved by the state finance committee.

(15) The department of ~~((general administration))~~ enterprise services shall report annually to the office of financial management and the appropriate fiscal committees of the legislature on facility leases executed for all state agencies for the preceding year, lease terms, and annual lease costs. The report must include leases executed under RCW 43.82.045 and subsection (12) of this section.

(16) The department of enterprise services shall report the status of any surplus property that is actively being listed for sale including the date the property was listed and listing price, and any surplus property that has sold including the approximate value, sale price, and fund into which the proceeds will be deposited to the office of financial management and the appropriate fiscal committees of the legislature by January 1st of odd-numbered years. At least nine months prior to being actively listed for sale, the department shall notify the fiscal committees of the legislature and the office of financial management."

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

Amendment (1119) 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 Parker and Dunshee 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. 2722.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2722, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen,

Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2722, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2614, by Representatives Kenney, Ryu, Hasegawa and Santos

Limiting deficiency judgments pertaining to residual debts following short sales of owner-occupied residential property secured by deeds of trust.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2614 was substituted for House Bill No. 2614 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2614 was read the second time.

Representative Kenney moved the adoption of amendment (1073).

On page 2, beginning on line 1, after "service." strike all material through "sale" on line 3 and insert "This subsection (1)(b) does not apply: (i) To a deed of trust securing a commercial loan; (ii) to an obligation secured by owner-occupied residential real property when the funds were used to finance a commercial venture; or (iii) when the property sold was not occupied by the borrower as the borrower's principal residence at the time of the sale"

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

Amendment (1073) 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 Kenney and Maxwell spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2614.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2614, and the bill passed the House by the following vote: Yeas, 69; Nays, 29; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Asay, Bailey, Billig, Blake, Carlyle, Clibborn, Cody, Dahlquist, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hudgins,

Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Orcutt, Ormsby, Orwall, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Roberts, Ross, Ryu, Santos, Seaquist, Sells, Smith, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Ahern, Armstrong, Buys, Chandler, Condotta, Crouse, Dammeier, Fagan, Haler, Hargrove, Harris, Hinkle, Hope, Klippert, Kretz, McCune, Nealey, Overstreet, Parker, Rivers, Rodne, Schmick, Shea, Short, Taylor, Walsh, Warnick, Wilcox and Zeiger.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2614, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2240, by Representatives Moscoso, Fitzgibbon and Miloscia

Concerning public improvement contracts involving federally funded transit facility projects.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2240.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2240, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

HOUSE BILL NO. 2240, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2272, by Representatives Parker, Dunshee, Warnick, Zeiger, Angel and Santos

Concerning surplus property.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2272 was substituted for House Bill No. 2272 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2272 was read the second time.

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

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

Representative Bailey spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2272.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2272, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE HOUSE BILL NO. 2272, having received the necessary constitutional majority, was declared passed.

SECOND READING

HOUSE BILL NO. 2289, by Representatives Kagi, Walsh, Roberts, Carlyle, Jinkins, Ormsby and Dickerson

Establishing a flexible approach to child protective services.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2289 was substituted for House Bill No. 2289 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2289 was read the second time.

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

Representatives Kagi and Walsh spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2289.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2289, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

SECOND SUBSTITUTE HOUSE BILL NO. 2289, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2296, by Representatives Morris, McCoy, Ryu and Hudgins

Concerning the siting of biofuel processing facilities.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2296 was substituted for House Bill No. 2296 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2296 was read the second time.

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

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

Representatives Dahlquist and Hinkle spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2296.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2296, and the bill passed the House by the following vote: Yeas, 55; Nays, 43; Absent, 0; Excused, 0.

Voting yea: Representatives Anderson, Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Crouse, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Goodman, Green, Hansen, Hasegawa, Hope, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Lias, Lytton, Maxwell, McCoy, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Roberts, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Condotta, Dahlquist, Dammeier, DeBolt, Fagan, Haigh, Haler, Hargrove, Harris, Hinkle, Hurst, Johnson, Klippert, Kretz, Kristiansen, McCune, Miloscia, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh, Warnick, Wilcox, Wylie and Zeiger.

SUBSTITUTE HOUSE BILL NO. 2296, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2297, by Representatives Morris, McCoy, Eddy, Hudgins, Ormsby and Fitzgibbon

Authorizing the establishment of an energy efficiency improvement loan fund.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2297 was substituted for House Bill No. 2297 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2297 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2297.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2297, and the bill passed the House by the following vote: Yeas, 90; Nays, 8; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Billig, Blake, Carlyle, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, 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 Bailey, Buys, Chandler, Fagan, Haler, Overstreet, Shea and Taylor.

SUBSTITUTE HOUSE BILL NO. 2297, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2375, by Representatives Appleton and Hunt

Making conforming amendments made necessary by reorganizing and streamlining central service functions, powers, and duties of state government.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2375 was substituted for House Bill No. 2375 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2375 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 Appleton and Taylor spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2375.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2375, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE HOUSE BILL NO. 2375, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2400, by Representatives Hunt, Hudgins, Upthegrove, Ormsby, Green, Miloscia and Moscoso

Regarding cost savings and efficiencies in mailing notices of revocation to habitual traffic offenders.

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 Hunt spoke in favor of the passage of the bill.

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2400.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2400, and the bill passed the House by the following vote: Yeas, 65; Nays, 33; Absent, 0; Excused, 0.

Voting yea: Representatives Anderson, Appleton, Armstrong, Asay, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Nealey, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Ross, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Angel, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Haler, Hargrove, Harris, Hinkle, Kretz, McCune, Orcutt, Overstreet, Parker, Pearson, Rivers, Roberts, Rodne, Schmick, Shea, Short, Smith, Taylor, Walsh, Warnick, Wilcox and Zeiger.

HOUSE BILL NO. 2400, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2401, by Representatives Hunt, Hudgins, Upthegrove, Ormsby, Green and Miloscia

Regarding cost savings and efficiencies in mailing notices of possible license suspension for noncompliance with child support orders.

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 Hunt spoke in favor of the passage of the bill.

Representative Overstreet spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2401.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2401, and the bill passed the House by the following vote: Yeas, 61; Nays, 37; Absent, 0; Excused, 0.

Voting yea: Representatives Anderson, Appleton, Armstrong, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi,

Kelley, Kenney, Kirby, Klippert, Ladenburg, Lias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Roberts, Ross, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Angel, Asay, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Rodne, Schmick, Shea, Short, Smith, Taylor, Warnick, Wilcox and Zeiger.

HOUSE BILL NO. 2401, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2605, by Representative Dunshee

Establishing a water pollution control revolving administration fee.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2605 was substituted for House Bill No. 2605 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2605 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 Dunshee and Smith spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2605.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2605, and the bill passed the House by the following vote: Yeas, 91; Nays, 7; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Carlyle, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, 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 Buys, Chandler, Condotta, Hinkle, Overstreet, Shea and Taylor.

SUBSTITUTE HOUSE BILL NO. 2605, having received the necessary constitutional majority, was declared passed.

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

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

HOUSE BILL NO. 2264

HOUSE BILL NO. 2619

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

SECOND READING

HOUSE BILL NO. 2673, by Representatives Clibborn, Hunt, Lias, Kenney, Lytton, Green, Probst, Goodman, Dickerson, Ryu, Seaquist, Darneille, Cody, Carlyle, Sullivan, Kirby, Ormsby, Ladenburg, Moscoso, Springer, Hasegawa, Maxwell, Wylie, Tharinger and Pollet

Addressing transportation workforce development.

The bill was read the second time.

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

SUBSTITUTE HOUSE BILL NO. 2673 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.

Representatives Hargrove, Angel and Armstrong spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2673.

MOTIONS

On motion of Representative Hinkle, Representatives Klippert and Shea were excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2673, and the bill passed the House by the following vote: Yeas, 56; Nays, 40; Absent, 0; Excused, 2.

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

Voting nay: Representatives Ahern, Alexander, Anderson, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Condotta,

Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Hope, Johnson, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Rodne, Ross, Schmick, Short, Smith, Taylor, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representatives Klippert and Shea.

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

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute House Bill No. 2673.

Representative Klippert, 8th District

SECOND READING

HOUSE BILL NO. 2758, by Representatives Hunter and Alexander

Strengthening the department of revenue's ability to collect spirits taxes imposed under RCW 82.08.150.

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 Green 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 House Bill No. 2758.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2758, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Klippert and Shea.

HOUSE BILL NO. 2758, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on House Bill No. 2758.

Representative Klippert, 8th District

SECOND READING

HOUSE BILL NO. 1556, by Representatives Kirby, Orwall, Miloscia, Stanford, Kelley, Blake and Smith

Increasing the penalties for first-time offenders of driving or being in physical control of a vehicle while under the influence of intoxicating liquor or any drug.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1556 was substituted for House Bill No. 1556 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1556 was read the second time.

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

Representatives Kirby, Rodne and Hurst spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1556.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1556, and the bill passed the House by the following vote: Yeas, 85; Nays, 11; Absent, 0; Excused, 2.

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

Voting nay: Representatives Appleton, Clibborn, Dickerson, Haigh, Kagi, Ladenburg, Ormsby, Pollet, Roberts, Ryu and Wylie.

Excused: Representatives Klippert and Shea.

SUBSTITUTE HOUSE BILL NO. 1556, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1556.

Representative Klippert, 8th District

SECOND READING

HOUSE BILL NO. 2176, by Representatives Goodman, Hope, Dunshee, Kelley and Fitzgibbon

Extending the time to enforce civil judgments for damages caused by impaired drivers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2176 was substituted for House Bill No. 2176 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2176 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 Goodman and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2176.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2176, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

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

Voting nay: Representatives Anderson, Asay, Overstreet and Taylor.

Excused: Representative Klippert.

SUBSTITUTE HOUSE BILL NO. 2176, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 2176.
Representative Klippert, 8th District

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute House Bill No. 2176.
Representative Nealey, 16th District

SECOND READING

HOUSE BILL NO. 2216, by Representatives Hurst, Pearson, Van De Wege, Dahlquist, Tharinger, Goodman, Johnson, Dammeier, Sells, Kelley, McCune and Kristiansen

Increasing penalties for vehicular homicide and vehicular assault.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2216 was substituted for House Bill No. 2216 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2216 was read the second time.

Representative Ahern moved the adoption of amendment (1129).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 9.94A.515 and 2010 c 289 s 11 and 2010 c 227 s 9 are each reenacted and amended to read as follows:

TABLE 2

	CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL
XVI	Aggravated Murder 1 (RCW 10.95.020)
XV	Homicide by abuse (RCW 9A.32.055)
	Malicious explosion 1 (RCW 70.74.280(1))
	Murder 1 (RCW 9A.32.030)
XIV	Murder 2 (RCW 9A.32.050)
	Trafficking 1 (RCW 9A.40.100(1))
XIII	Malicious explosion 2 (RCW 70.74.280(2))
	Malicious placement of an explosive 1 (RCW 70.74.270(1))
XII	Assault 1 (RCW 9A.36.011)
	Assault of a Child 1 (RCW 9A.36.120)
	Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))
	Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)
	Rape 1 (RCW 9A.44.040)
	Rape of a Child 1 (RCW 9A.44.073)
	Trafficking 2 (RCW 9A.40.100(2))
XI	Manslaughter 1 (RCW 9A.32.060)
	Rape 2 (RCW 9A.44.050)
	Rape of a Child 2 (RCW 9A.44.076)
	<u>Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)</u>
X	Child Molestation 1 (RCW 9A.44.083)
	Criminal Mistreatment 1 (RCW 9A.42.020)
	Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))

- Kidnapping 1 (RCW 9A.40.020)
- Leading Organized Crime (RCW 9A.82.060(1)(a))
- Malicious explosion 3 (RCW 70.74.280(3))
- Sexually Violent Predator Escape (RCW 9A.76.115)
- Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)
- IX Abandonment of Dependent Person 1 (RCW 9A.42.060)
- Assault of a Child 2 (RCW 9A.36.130)
- Explosive devices prohibited (RCW 70.74.180)
- Hit and Run--Death (RCW 46.52.020(4)(a))
- Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)
- Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))
- Malicious placement of an explosive 2 (RCW 70.74.270(2))
- Robbery 1 (RCW 9A.56.200)
- Sexual Exploitation (RCW 9.68A.040)
- ~~((Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)))~~
- VIII Arson 1 (RCW 9A.48.020)
- Commercial Sexual Abuse of a Minor (RCW 9.68A.100)
- Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)
- Manslaughter 2 (RCW 9A.32.070)
- Promoting Prostitution 1 (RCW 9A.88.070)
- Theft of Ammonia (RCW 69.55.010)
- ~~((Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)))~~
- Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)
- VII Burglary 1 (RCW 9A.52.020)
- Child Molestation 2 (RCW 9A.44.086)
- Civil Disorder Training (RCW 9A.48.120)
- Dealing in depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.050(1))
- Drive-by Shooting (RCW 9A.36.045)
- Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)
- Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1)(b) and (c))
- Introducing Contraband 1 (RCW 9A.76.140)
- Malicious placement of an explosive 3 (RCW 70.74.270(3))
- Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)
- Sending, bringing into state depictions of minor engaged in sexually explicit conduct 1 (RCW 9.68A.060(1))
- Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))
- Use of a Machine Gun in Commission of a Felony (RCW 9.41.225)
- ~~((Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)))~~
- VI Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))
- Bribery (RCW 9A.68.010)
- Incest 1 (RCW 9A.64.020(1))
- Intimidating a Judge (RCW 9A.72.160)
- Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
- Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))
- Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.070(1))
- Rape of a Child 3 (RCW 9A.44.079)
- Theft of a Firearm (RCW 9A.56.300)
- Unlawful Storage of Ammonia (RCW 69.55.020)
- V Abandonment of Dependent Person 2 (RCW 9A.42.070)
- Advancing money or property for extortionate extension of credit (RCW 9A.82.030)
- Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))
- Child Molestation 3 (RCW 9A.44.089)
- Criminal Mistreatment 2 (RCW 9A.42.030)
- Custodial Sexual Misconduct 1 (RCW 9A.44.160)
- Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2))
- Domestic Violence Court Order Violation (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.50.110, 26.52.070, or 74.34.145)

Driving While Under the Influence (RCW 46.61.502(6))	Hit and Run with Vessel--Injury Accident (RCW 79A.60.200(3))
Extortion 1 (RCW 9A.56.120)	Identity Theft 1 (RCW 9.35.020(2))
Extortionate Extension of Credit (RCW 9A.82.020)	Indecent Exposure to Person Under Age Fourteen (subsequent sex offense) (RCW 9A.88.010)
Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040)	Influencing Outcome of Sporting Event (RCW 9A.82.070)
Incest 2 (RCW 9A.64.020(2))	Malicious Harassment (RCW 9A.36.080)
Kidnapping 2 (RCW 9A.40.030)	Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68(1A) <u>A</u> .070(2))
Perjury 1 (RCW 9A.72.020)	Residential Burglary (RCW 9A.52.025)
Persistent prison misbehavior (RCW 9.94.070)	Robbery 2 (RCW 9A.56.210)
Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6))	Theft of Livestock 1 (RCW 9A.56.080)
Possession of a Stolen Firearm (RCW 9A.56.310)	Threats to Bomb (RCW 9.61.160)
Rape 3 (RCW 9A.44.060)	Trafficking in Stolen Property 1 (RCW 9A.82.050)
Rendering Criminal Assistance 1 (RCW 9A.76.070)	Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))
Sending, Bringing into State Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.060(2))	Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))
Sexual Misconduct with a Minor 1 (RCW 9A.44.093)	Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))
Sexually Violating Human Remains (RCW 9A.44.105)	Unlawful transaction of insurance business (RCW 48.15.023(3))
Stalking (RCW 9A.46.110)	Unlicensed practice as an insurance professional (RCW 48.17.063(2))
Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070)	Use of Proceeds of Criminal Profiteering (RCW 9A.82.080 (1) and (2))
<u>Vehicular Assault, by being under the influence of intoxicating liquor or any drug (RCW 46.61.522)</u>	Vehicular Assault, (by being under the influence of intoxicating liquor or any drug, or) by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)
IV Arson 2 (RCW 9A.48.030)	Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))
Assault 2 (RCW 9A.36.021)	Willful Failure to Return from Furlough (RCW 72.66.060)
Assault 3 (of a Peace Officer with a Projectile Stun Gun) (RCW 9A.36.031(1)(h))	III Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))
Assault by Watercraft (RCW 79A.60.060)	Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))
Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)	Assault of a Child 3 (RCW 9A.36.140)
Cheating 1 (RCW 9.46.1961)	Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))
Commercial Bribery (RCW 9A.68.060)	Burglary 2 (RCW 9A.52.030)
Counterfeiting (RCW 9.16.035(4))	Communication with a Minor for Immoral Purposes (RCW 9.68A.090)
Endangerment with a Controlled Substance (RCW 9A.42.100)	
Escape 1 (RCW 9A.76.110)	
Hit and Run--Injury (RCW 46.52.020(4)(b))	

- Criminal Gang Intimidation (RCW 9A.46.120)
- Custodial Assault (RCW 9A.36.100)
- Cyberstalking (subsequent conviction or threat of death) (RCW 9.61.260(3))
- Escape 2 (RCW 9A.76.120)
- Extortion 2 (RCW 9A.56.130)
- Harassment (RCW 9A.46.020)
- Intimidating a Public Servant (RCW 9A.76.180)
- Introducing Contraband 2 (RCW 9A.76.150)
- Malicious Injury to Railroad Property (RCW 81.60.070)
- Mortgage Fraud (RCW 19.144.080)
- Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)
- Organized Retail Theft 1 (RCW 9A.56.350(2))
- Perjury 2 (RCW 9A.72.030)
- Possession of Incendiary Device (RCW 9.40.120)
- Possession of Machine Gun or Short-Barreled Shotgun or Rifle (RCW 9.41.190)
- Promoting Prostitution 2 (RCW 9A.88.080)
- Retail Theft with Extenuating Circumstances 1 (RCW 9A.56.360(2))
- Securities Act violation (RCW 21.20.400)
- Tampering with a Witness (RCW 9A.72.120)
- Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))
- Theft of Livestock 2 (RCW 9A.56.083)
- Theft with the Intent to Resell 1 (RCW 9A.56.340(2))
- Trafficking in Stolen Property 2 (RCW 9A.82.055)
- Unlawful Imprisonment (RCW 9A.40.040)
- Unlawful possession of firearm in the second degree (RCW 9.41.040(2))
- Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)
- Willful Failure to Return from Work Release (RCW 72.65.070)
- II Computer Trespass 1 (RCW 9A.52.110)
- Counterfeiting (RCW 9.16.035(3))
- Escape from Community Custody (RCW 72.09.310)
- Failure to Register as a Sex Offender (second or subsequent offense) (RCW ((9A.44.130(11)(a))) 9A.44.132)
- Health Care False Claims (RCW 48.80.030)
- Identity Theft 2 (RCW 9.35.020(3))
- Improperly Obtaining Financial Information (RCW 9.35.010)
- Malicious Mischief 1 (RCW 9A.48.070)
- Organized Retail Theft 2 (RCW 9A.56.350(3))
- Possession of Stolen Property 1 (RCW 9A.56.150)
- Possession of a Stolen Vehicle (RCW 9A.56.068)
- Retail Theft with Extenuating Circumstances 2 (RCW 9A.56.360(3))
- Theft 1 (RCW 9A.56.030)
- Theft of a Motor Vehicle (RCW 9A.56.065)
- Theft of Rental, Leased, or Lease-purchased Property (valued at one thousand five hundred dollars or more) (RCW 9A.56.096(5)(a))
- Theft with the Intent to Resell 2 (RCW 9A.56.340(3))
- Trafficking in Insurance Claims (RCW 48.30A.015)
- Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))
- Unlawful Practice of Law (RCW 2.48.180)
- Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))
- Voyeurism (RCW 9A.44.115)
- I Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)
- False Verification for Welfare (RCW 74.08.055)
- Forgery (RCW 9A.60.020)
- Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)
- Malicious Mischief 2 (RCW 9A.48.080)
- Mineral Trespass (RCW 78.44.330)
- Possession of Stolen Property 2 (RCW 9A.56.160)
- Reckless Burning 1 (RCW 9A.48.040)
- Taking Motor Vehicle Without Permission 2 (RCW 9A.56.075)
- Theft 2 (RCW 9A.56.040)

Theft of Rental, Leased, or Lease-purchased Property (valued at two hundred fifty dollars or more but less than one thousand five hundred dollars) (RCW 9A.56.096(5)(b))
 Transaction of insurance business beyond the scope of licensure (RCW 48.17.063)
 Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)
 Unlawful Possession of Fictitious Identification (RCW 9A.56.320)
 Unlawful Possession of Instruments of Financial Fraud (RCW 9A.56.320)
 Unlawful Possession of Payment Instruments (RCW 9A.56.320)
 Unlawful Possession of a Personal Identification Device (RCW 9A.56.320)
 Unlawful Production of Payment Instruments (RCW 9A.56.320)
 Unlawful Trafficking in Food Stamps (RCW 9.91.142)
 Unlawful Use of Food Stamps (RCW 9.91.144)
 Vehicle Prowl 1 (RCW 9A.52.095)"

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

Representative Goodman spoke against the adoption of the amendment.

Amendment (1129) was not adopted.

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

Representatives Hurst, Pearson, Smith, Orcutt, Goodman and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2216.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2216, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger,

Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

SECOND SUBSTITUTE HOUSE BILL NO. 2216, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2302, by Representatives Goodman, Warnick, Kenney, Kagi, Lias, Orwall, Billig, Hasegawa, Finn, Kelley, Rodne, Moeller, Dammeier, Reykdal, Van De Wege, Maxwell, Tharinger, Sells, Jinkins, Hurst, Green, McCoy, Smith, Pearson, Appleton, Darneille, Hunt, Fitzgibbon, Miloscia, Zeiger, Ryu, Stanford, Johnson and Seaquist

Concerning being under the influence with a child in the vehicle.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2302 was substituted for House Bill No. 2302 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2302 was read the second time.

Representative Goodman moved the adoption of amendment (949).

On page 8, line 22 after "an" insert "ignition"

On page 19, beginning on line 27 after "by" strike "RCW 46.61.504" and insert "RCW 46.61.520"

On page 19, line 29 after "by" strike "RCW 46.61.502" and insert "RCW 46.61.522"

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

Amendment (949) was adopted.

The bill was ordered engrossed.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2302.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2302, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lias, Lytton, Maxwell,

McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2302, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2405, by Representatives Goodman, Rodne, Hurst, Kelley, Pearson, Van De Wege, Fitzgibbon, Ormsby, Hasegawa, Pollet, Miloscia and Blake

Ordering offenders convicted of vehicular homicide due to alcohol or drugs to pay child support for the victims' minor children.

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 Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2405.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2405, and the bill passed the House by the following vote: Yeas, 95; Nays, 3; Absent, 0; Excused, 0.

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

Voting nay: Representatives Chandler, Eddy and Taylor.

HOUSE BILL NO. 2405, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2443, by Representatives Goodman, Pedersen, Hurst, Kelley, Blake, Fitzgibbon, Ormsby, Hasegawa and Miloscia

Increasing accountability of persons who drive impaired.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2443 was substituted for House Bill No. 2443 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2443 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 Goodman, Armstrong and Liias spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 2443.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2443, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

SECOND SUBSTITUTE HOUSE BILL NO. 2443, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2372, by Representatives Pollet, Kenney, Reykdal, Dickerson, Jinkins, Wylie, Hasegawa, Pettigrew, Billig, Pedersen, Ryu, Fitzgibbon, Darneille, Blake, Finn, Eddy and Kagi

Concerning fees and rates for tow truck services and vehicle storage. Revised for 1st Substitute: Concerning tow truck employee certification and private impound rates.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2372 was substituted for House Bill No. 2372 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2372 was read the second time.

Representative Pollet moved the adoption of amendment (970).

On page 5, line 2, after "RCW 46.55.050(1);" insert "or"

On page 5, beginning on line 3, after "towing" strike all material through "unless" on line 5 and insert ".

(4) The limitations set out in subsection (1) of this section only apply if"

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

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

Amendment (970) was adopted.

Representative Pollet moved the adoption of amendment (1090).

On page 5, beginning on line 9, strike all of subsection (4)

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

Amendment (1090) was adopted.

The bill was ordered engrossed.

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

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

Representatives Armstrong, Liias and Goodman spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2372.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2372, and the bill passed the House by the following vote: Yeas, 55; Nays, 43; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bailey, Billig, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Green, Haigh, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Roberts, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Anderson, Angel, Armstrong, Asay, Blake, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Goodman, Haler, Hargrove, Harris, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh, Warnick, Wilcox and Zeiger.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2372, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Green congratulated Representative Pollet on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

MESSAGES FROM THE SENATE

February 13, 2012

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5217
 SENATE BILL NO. 6079
 SENATE BILL NO. 6109
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6211
 SENATE BILL NO. 6340
 SENATE BILL NO. 6385
 SUBSTITUTE SENATE BILL NO. 6468
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6486
 SUBSTITUTE SENATE BILL NO. 6494
 SENATE BILL NO. 6566
 SENATE JOINT RESOLUTION NO. 8223

and the same are herewith transmitted.

Thomas Hoemann, Secretary
 February 13, 2012

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 6175
 SENATE BILL NO. 6218
 SUBSTITUTE SENATE BILL NO. 6295
 SUBSTITUTE SENATE BILL NO. 6507

and the same are herewith transmitted.

Thomas Hoemann, Secretary

SECOND READING

HOUSE BILL NO. 1508, by Representatives Takko, Probst and Van De Wege

Protecting sport shooting ranges.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1508 was substituted for House Bill No. 1508 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1508 was read the second time.

With the consent of the house, amendment (978) was withdrawn.

Representative Takko moved the adoption of amendment (1078).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that sport shooting ranges in this state offer valuable hunter and firearm safety training, offer legitimate and important forms of recreation to the general public, and provide the opportunity for many law enforcement agencies to maintain necessary firearms skills efficiently and at little or no cost. The continued existence and viability of sport shooting ranges is impacted by burdensome retroactive regulation and lawsuits, thereby potentially threatening the availability of low-cost firearms training to some local law enforcement agencies, as well as hunter and firearms safety training and recreation to the general public.

NEW SECTION. Sec. 2. A new section is added to chapter 9.41 RCW to read as follows:

(1)(a) Notwithstanding any other provision of law, a person who owns or operates a sport shooting range in this state shall not be subject to civil liability or criminal prosecution for a violation of a law or ordinance relating to noise or noise pollution resulting from the operation or use of the range if the range is in compliance with all state and local government noise control laws or ordinances that applied to the range and its operation on the date of initial operation of the range, or on January 1, 1980, whichever date is later.

(b) A sport shooting range must be classified as a conforming use if it operates in compliance with all state and local government noise control laws or ordinances that were applicable to the range and its operation on the date of initial operation of the range, or on January 1, 1980, whichever date is later.

(2) (a) A person who owns or operates a sport shooting range is not subject to an action for nuisance on the basis of noise or noise pollution, and a court of the state shall not enjoin the use or operation of a range on the basis of noise or noise pollution, if: (a) the range is in compliance with all state or local government noise control laws or ordinances that applied to the range and its operation on the date of initial operation of the range, or on January 1, 1980, whichever date is later; and (b) there has not been a substantial change in the nature of the use or operation of the range since the plaintiff acquired title to the property that is adversely affected by the use or operation of the range.

(b) This subsection does not prohibit or affect actions for negligence or recklessness in the operation of the range or by a person using the range.

(3) A person who participates in sport shooting at a sport shooting range accepts the risks associated with the sport to the extent the risks are obvious. Those risks include, but are not limited to, injuries that may result from noise, discharge of a projectile or shot, malfunction of sport shooting equipment not owned by the shooting range, natural variations in terrain, surface or subsurface snow or ice conditions, bare spots, rocks, trees, and other forms of natural growth or debris.

(4) Except as otherwise provided in this section, this section does not prohibit a local government from regulating the location and construction of a sport shooting range after the effective date of this section.

(5) As used in this section:

(a) "Local government" means a county, city, or town.

(b) "Person" means an individual, proprietorship, partnership, corporation, club, or other legal entity.

(c) "Sport shooting range" or "range" means an area designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar sport shooting activities."

Correct the title.

Representatives Takko, Shea and Orcutt spoke in favor of the adoption of the amendment.

Representative Appleton spoke against the adoption of the amendment.

Amendment (1078) 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 Takko and Rodne spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1508.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1508, and the bill passed the House by the following vote: Yeas, 93; Nays, 5; Absent, 0; Excused, 0.

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

Voting nay: Representatives Appleton, Carlyle, Hansen, McCoy and Pedersen.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1508, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2253, by Representatives Fitzgibbon, Billig and Jinkins

Modernizing the functionality of the state environmental policy act.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2253 was substituted for House Bill No. 2253 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2253 was read the second time.

Representative Fitzgibbon moved the adoption of amendment (1083).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature recognizes that the rule-based categorical exemption thresholds to chapter 43.21C RCW, found in WAC 197-11-800, have not been updated in recent years, and should be reviewed in light of the increased environmental protections in place under chapters 36.70A and 90.58 RCW, and other laws. It is the intent of the legislature to direct the department of ecology to conduct two phases of rule making over the next two years to increase the thresholds for these categorical exemptions.

(2) By December 31, 2012, the department of ecology shall increase the rule-based categorical exemptions to chapter 43.21C RCW found in WAC 197-11-800 and update the environmental checklist found in WAC 197- 11-960. In updating the categorical exemptions, the department of ecology must:

(a) At a minimum, increase the existing maximum threshold levels for the following project types:

- (i) The construction or location of single-family residential developments;
 - (ii) The construction or location of multifamily residential developments;
 - (iii) The construction of an agricultural structure, other than a feed lot, that is similar to the following: A barn, a loafing shed, a farm equipment storage building, or a produce storing or packing structure;
 - (iv) The construction of the following, including any associated parking areas or facilities: An office, a school, a commercial building, a recreational building, a service building, or a storage building;
 - (v) Landfilling or excavation activities; and
 - (vi) The installation of an electric facility, lines, equipment, or appurtenances, other than substations.
- (b) Establish maximum exemption levels for action types that differ based on whether the project is proposed to occur in:
- (i) An incorporated city;
 - (ii) An unincorporated area within an urban growth area;
 - (iii) An unincorporated area outside of an urban growth area but within a county planning under chapter 36.70A RCW; or
 - (iv) An unincorporated area within a county not planning under chapter 36.70A RCW.
- (c) In updating the environmental checklist found in WAC 197-11-960, the department of ecology shall:
- (i) Improve efficiency of the environmental checklist; and
 - (ii) Not include any new subjects into the scope of the checklist.
- (d) Until the completion of the rule making required under this section, a city or county may apply the highest categorical exemption levels authorized under WAC 197-11-800 to any action, regardless if the city or county with jurisdiction has exercised its authority to raise the exemption levels above the established minimums, unless the city or county with jurisdiction passes an ordinance or resolution that lowers the exemption levels to a level below the allowed maximum but not less than the default minimum levels detailed in WAC 197-11-800.
- (3)(a) By December 31, 2013, the department of ecology shall:
- (i) Update, but not decrease, the thresholds for all other project actions not specified in subsection (2) of this section;
 - (ii) Create a categorical exemption for projects designed to restore natural wildlife or fishery habitats or serve as environmental mitigation for other projects; and
 - (iii) Propose methods for integrating the state environmental policy act process with provisions of the growth management act, chapter 36.70A RCW, including consideration of ways to revise WAC 197-11-210 through 197-11-232 to further the goals of RCW 43.21C.240.
- (b) During this process, the department of ecology may also review and update the thresholds resulting from the 2012 rule-making process outlined in subsection (2) of this section.
- (4)(a) The department of ecology shall convene an advisory committee consisting of members representing, at minimum, cities, counties, business interests, environmental interests, agricultural interests, cultural resources interests, state agencies, and tribal governments to:
- (i) Assist in updating the environmental checklist and updating the thresholds for other project actions for both rule-making processes under subsections (2) and (3) of this section; and
 - (ii) Consider opportunities to ensure that state agencies, tribes, and other interested parties can receive notice about projects of interest through a means other than through notice under chapter 43.21C RCW.
- (b) Advisory committee members must have direct experience with the implementation or application of the state environmental policy act.
- (5) This section expires July 31, 2013.

Sec. 2. RCW 43.21C.031 and 1995 c 347 s 203 are each amended to read as follows:

(1) An environmental impact statement (the detailed statement required by RCW 43.21C.030(2)(c)) shall be prepared on proposals for legislation and other major actions having a probable significant, adverse environmental impact. The environmental impact statement may be combined with the recommendation or report on the proposal or issued as a separate document. The substantive decisions or recommendations shall be clearly identifiable in the combined document. Actions categorically exempt under RCW 43.21C.110(1)(a) and section 7 of this act do not require environmental review or the preparation of an environmental impact statement under this chapter. ~~(In a county, city, or town planning under RCW 36.70A.040, a planned action, as provided for in subsection (2) of this section, does not require a threshold determination or the preparation of an environmental impact statement under this chapter, but is subject to environmental review and mitigation as provided in this chapter.)~~

(2) An environmental impact statement is required to analyze only those probable adverse environmental impacts which are significant. Beneficial environmental impacts may be discussed. The responsible official shall consult with agencies and the public to identify such impacts and limit the scope of an environmental impact statement. The subjects listed in RCW 43.21C.030(2)(c) need not be treated as separate sections of an environmental impact statement. Discussions of significant short-term and long-term environmental impacts, significant irrevocable commitments of natural resources, significant alternatives including mitigation measures, and significant environmental impacts which cannot be mitigated should be consolidated or included, as applicable, in those sections of an environmental impact statement where the responsible official decides they logically belong.

~~((2)(a) For purposes of this section, a planned action means one or more types of project action that:~~

- ~~(i) Are designated planned actions by an ordinance or resolution adopted by a county, city, or town planning under RCW 36.70A.040;~~
- ~~(ii) Have had the significant impacts adequately addressed in an environmental impact statement prepared in conjunction with (A) a comprehensive plan or subarea plan adopted under chapter 36.70A RCW, or (B) a fully contained community, a master planned resort, a master planned development, or a phased project;~~
- ~~(iii) Are subsequent or implementing projects for the proposals listed in (a)(ii) of this subsection;~~
- ~~(iv) Are located within an urban growth area, as defined in RCW 36.70A.030;~~
- ~~(v) Are not essential public facilities, as defined in RCW 36.70A.200;~~ and
- ~~(vi) Are consistent with a comprehensive plan adopted under chapter 36.70A RCW.~~

~~(b) A county, city, or town shall limit planned actions to certain types of development or to specific geographical areas that are less extensive than the jurisdictional boundaries of the county, city, or town and may limit a planned action to a time period identified in the environmental impact statement or the ordinance or resolution adopted under this subsection.)~~

NEW SECTION. Sec. 3. A new section is added to chapter 43.21C RCW to read as follows:

(1) For purposes of this chapter, a planned action means one or more types of development or redevelopment that meet the following criteria:

- (a) Are designated as planned actions by an ordinance or resolution adopted by a county, city, or town planning under RCW 36.70A.040;
- (b) Have had the significant impacts adequately addressed in an environmental impact statement under the requirements of this chapter in conjunction with, or to implement, a comprehensive plan

or subarea plan adopted under chapter 36.70A RCW, or a fully contained community, a master planned resort, a master planned development, or a phased project;

(c) Have had project level significant impacts adequately addressed in an environmental impact statement unless the impacts are specifically deferred for consideration at the project level pursuant to subsection (3)(b) of this section;

(d) Are subsequent or implementing projects for the proposals listed in (b) of this subsection;

(e) Are located within an urban growth area designated pursuant to RCW 36.70A.110;

(f) Are not essential public facilities, as defined in RCW 36.70A.200, unless an essential public facility is accessory to or part of a residential, office, school, commercial, recreational, service, or industrial development that is designated a planned action under this subsection; and

(g) Are consistent with a comprehensive plan or subarea plan adopted under chapter 36.70A RCW.

(2) A county, city, or town shall define the types of development included in the planned action and may limit a planned action to:

(a) A specific geographic area that is less extensive than the jurisdictional boundaries of the county, city, or town; or

(b) A time period identified in the ordinance or resolution adopted under this subsection.

(3)(a) A county, city, or town shall determine during permit review whether a proposed project is consistent with a planned action ordinance adopted by the jurisdiction. To determine project consistency with a planned action ordinance, a county, city, or town may utilize a modified checklist pursuant to the rules adopted to implement RCW 43.21C.110, a form that is designated within the planned action ordinance, or a form contained in agency rules adopted pursuant to RCW 43.21C.120.

(b) Except for impacts that are specifically deferred, at the time of planned action ordinance adoption, for consideration at the project level, a county, city, or town is not required to make a threshold determination and may not require additional environmental review for a proposal that is determined to be consistent with the development or redevelopment described in the planned action ordinance. The determination of consistency, and the adequacy of any environmental review that was specifically deferred, are subject to the type of administrative appeal that the county, city, or town provides for the proposal itself consistent with RCW 36.70B.060.

(4) For a planned action that encompasses the entire jurisdictional boundary of a county, city, or town, at least one community meeting must be held before the scoping notice for such a planned action is issued. Notice of scoping for such a planned action and notice of the community meeting required by this subsection must be mailed or otherwise verifiably provided to:

(a) All property owners of record within the county, city, or town;

(b) All affected federally recognized tribal governments whose ceded area is within one-half mile of the jurisdictional boundaries of the county, city, or town, and to agencies with jurisdiction over the future development anticipated for the planned action.

Sec. 4. RCW 43.21C.229 and 2003 c 298 s 1 are each amended to read as follows:

(1) In order to accommodate infill development and thereby realize the goals and policies of comprehensive plans adopted according to chapter 36.70A RCW, a city or county planning under RCW 36.70A.040 is authorized by this section to establish categorical exemptions from the requirements of this chapter. An exemption adopted under this section applies even if it differs from the categorical exemptions adopted by rule of the department under RCW 43.21C.110(1)(a). An exemption may be adopted by a city or county under this section if it meets the following criteria:

(a) It categorically exempts government action related to development ~~((that is new residential or mixed-use development))~~

proposed to fill in an urban growth area, designated according to RCW 36.70A.110, where current density and intensity of use in the area is lower than called for in the goals and policies of the applicable comprehensive plan and the development is either:

(i) Residential development;

(ii) Mixed-use development; or

(iii) Commercial development up to sixty-five thousand square feet, excluding retail development;

(b) It does not exempt government action related to development that is inconsistent with the applicable comprehensive plan or would exceed the density or intensity of use called for in the goals and policies of the applicable comprehensive plan; and

(c)(i) The city or county's applicable comprehensive plan was previously subjected to environmental analysis through an environmental impact statement under the requirements of this chapter prior to adoption; or

(ii) The city or county has prepared an environmental impact statement that considers the proposed use or density and intensity of use in the area proposed for an exemption under this section.

(2) Any categorical exemption adopted by a city or county under this section shall be subject to the rules of the department adopted according to RCW 43.21C.110(1)(a) that provide exceptions to the use of categorical exemptions adopted by the department.

NEW SECTION. Sec. 5. A new section is added to chapter 43.21C RCW to read as follows:

(1) The legislature recognizes that a county, city, or town that prepares a nonproject environmental review under RCW 43.21C.030(2), including reviews necessary for compliance with RCW 43.21C.420, must endure a substantial financial burden.

(2) A county, city, or town may recover reasonable expenses incurred in the preparation of a nonproject environmental impact statement prepared under RCW 43.21C.030(2):

(a) Through access to financial assistance under RCW 36.70A.490;

(b) With funding from private sources; and

(c) By the assessment of a reasonable and proportionate fee upon subsequent development that is consistent with the plan and development regulations adopted under RCW 43.21C.030(2), as long as the development makes use of and benefits from, as described in RCW 43.21C.030(2), the nonproject environmental review prepared by the county, city, or town.

(3) In order to collect fees under this section, the county, city, or town must enact an ordinance that sets forth objective standards for determining how the fees to be imposed upon each development will be proportionate to the impacts of each development and to the benefits accruing to each development from the nonproject environmental review.

(4) Any assessment of fees collected under this section from subsequent development may be used to reimburse funding received from private sources.

(5)(a) Any disagreement about the reasonableness or amount of the fees imposed upon a development may not be the basis for delay in issuance of a project permit for that development.

(b) The fee assessed by the county, city, or town may be paid with the written stipulation "paid under protest" and, if the city provides for an administrative appeal of its decision on the project for which the fees are imposed, any dispute about the amount of the fees must be resolved in the same administrative appeal process.

Sec. 6. RCW 43.21C.420 and 2010 c 153 s 2 are each amended to read as follows:

(1) Cities with a population greater than five thousand, in accordance with their existing comprehensive planning and development regulation authority under chapter 36.70A RCW, and in accordance with this section, may adopt optional elements of their comprehensive plans and optional development regulations that apply within specified subareas of the cities, that are either:

(a) Areas designated as mixed-use or urban centers in a land use or transportation plan adopted by a regional transportation planning organization; or

(b) Areas within one-half mile of a major transit stop that are zoned to have an average minimum density of fifteen dwelling units or more per gross acre.

(2) Cities located on the east side of the Cascade mountains and located in a county with a population of two hundred thirty thousand or less, in accordance with their existing comprehensive planning and development regulation authority under chapter 36.70A RCW, and in accordance with this section, may adopt optional elements of their comprehensive plans and optional development regulations that apply within the mixed-use or urban centers. The optional elements of their comprehensive plans and optional development regulations must enhance pedestrian, bicycle, transit, or other nonvehicular transportation methods.

(3) A major transit stop is defined as:

(a) A stop on a high capacity transportation service funded or expanded under the provisions of chapter 81.104 RCW;

(b) Commuter rail stops;

(c) Stops on rail or fixed guideway systems, including transitways;

(d) Stops on bus rapid transit routes or routes that run on high occupancy vehicle lanes; or

(e) Stops for a bus or other transit mode providing fixed route service at intervals of at least thirty minutes during the peak hours of operation.

(4)(a) A city that elects to adopt such an optional comprehensive plan element and optional development regulations shall prepare a nonproject environmental impact statement, pursuant to RCW 43.21C.030, assessing and disclosing the probable significant adverse environmental impacts of the optional comprehensive plan element and development regulations and of future development that is consistent with the plan and regulations.

(b) At least one community meeting must be held on the proposed subarea plan before the scoping notice for such a nonproject environmental impact statement is issued. Notice of scoping for such a nonproject environmental impact statement and notice of the community meeting required by this section must be mailed to all property owners of record within the subarea to be studied, to all property owners within one hundred fifty feet of the boundaries of such a subarea, to all affected federally recognized tribal governments whose ceded area is within one-half mile of the boundaries of the subarea, and to agencies with jurisdiction over the future development or its impacts anticipated within the subarea.

(c) In cities with over five hundred thousand residents, notice of scoping for such a nonproject environmental impact statement and notice of the community meeting required by this section must be mailed to all small businesses as defined in RCW 19.85.020, and to all community preservation and development authorities established under chapter 43.167 RCW, located within the subarea to be studied or within one hundred fifty feet of the boundaries of such subarea. The process for community involvement must have the goal of fair treatment and meaningful involvement of all people with respect to the development and implementation of the subarea planning process.

(d) The notice of the community meeting must include general illustrations and descriptions of buildings generally representative of the maximum building envelope that will be allowed under the proposed plan and indicate that future appeals of proposed developments that are consistent with the plan will be limited. Notice of the community meeting must include signs located on major travel routes in the subarea. If the building envelope increases during the process, another notice complying with the requirements of this section must be issued before the next public involvement opportunity.

(e) Any person that has standing to appeal the adoption of this subarea plan or the implementing regulations under RCW 36.70A.280 has standing to bring an appeal of the nonproject environmental impact statement required by this subsection.

(f) Cities with over five hundred thousand residents shall prepare a study that accompanies or is appended to the nonproject environmental impact statement, but must not be part of that statement, that analyzes the extent to which the proposed subarea plan may result in the displacement or fragmentation of existing businesses, existing residents, including people living with poverty, families with children, and intergenerational households, or cultural groups within the proposed subarea plan. The city shall also discuss the results of the analysis at the community meeting.

(g) As an incentive for development authorized under this section, a city shall consider establishing a transfer of development rights program in consultation with the county where the city is located, that conserves county-designated agricultural and forest land of long-term commercial significance. If the city decides not to establish a transfer of development rights program, the city must state in the record the reasons for not adopting the program. The city's decision not to establish a transfer of development rights program is not subject to appeal. Nothing in this subsection (4)(g) may be used as a basis to challenge the optional comprehensive plan or subarea plan policies authorized under this section.

(5)(a) Until July 1, 2018, a proposed development that is consistent with the optional comprehensive plan or subarea plan policies and development regulations adopted under subsection (1) or (2) of this section and that is environmentally reviewed under subsection (4) of this section may not be challenged in administrative or judicial appeals for noncompliance with this chapter as long as a complete application for such a development that vests the application or would later lead to vested status under city or state law is submitted to the city within a time frame established by the city, but not to exceed ten years from the date of issuance of the final environmental impact statement.

(b) After July 1, 2018, the immunity from appeals under this chapter of any application that vests or will vest under this subsection or the ability to vest under this subsection is still valid, provided that the final subarea environmental impact statement is issued by July 1, 2018. ~~((After July 1, 2018, a city may continue to collect reimbursement fees under subsection (6) of this section for the proportionate share of a subarea environmental impact statement issued prior to July 1, 2018.))~~

~~(6) ((It is recognized that a city that prepares a nonproject environmental impact statement under subsection (4) of this section must endure a substantial financial burden. A city may recover its reasonable expenses of preparation of a nonproject environmental impact statement prepared under subsection (4) of this section through access to financial assistance under RCW 36.70A.490 or funding from private sources. In addition, a city is authorized to recover a portion of its reasonable expenses of preparation of such a nonproject environmental impact statement by the assessment of reasonable and proportionate fees upon subsequent development that is consistent with the plan and development regulations adopted under subsection (5) of this section, as long as the development makes use of and benefits [from], as described in subsection (5) of this section, from the nonproject environmental impact statement prepared by the city. Any assessment fees collected from subsequent development may be used to reimburse funding received from private sources. In order to collect such fees, the city must enact an ordinance that sets forth objective standards for determining how the fees to be imposed upon each development will be proportionate to the impacts of each development and to the benefits accruing to each development from the nonproject environmental impact statement. Any disagreement about the reasonableness or amount of the fees imposed upon a development may not be the basis for delay in issuance of a project~~

~~permit for that development. The fee assessed by the city may be paid with the written stipulation "paid under protest" and if the city provides for an administrative appeal of its decision on the project for which the fees are imposed, any dispute about the amount of the fees must be resolved in the same administrative appeal process.~~ (7)) If a proposed development is inconsistent with the optional comprehensive plan or subarea plan policies and development regulations adopted under subsection (1) of this section, the city shall require additional environmental review in accordance with this chapter.

NEW SECTION. Sec. 7. A new section is added to chapter 43.21C RCW to read as follows:

The following nonproject actions are categorically exempt from the requirements of this chapter:

(1) Amendments to development regulations that are required to ensure consistency with an adopted comprehensive plan pursuant to RCW 36.70A.040, where the comprehensive plan was previously subjected to environmental review pursuant to this chapter;

(2) Amendments to development regulations that are required to ensure consistency with a shoreline master program approved pursuant to RCW 90.58.090, where the shoreline master program was previously subjected to environmental review pursuant to this chapter;

(3) Amendments to development regulations that do not change regulations applicable to any of the following: Allowed uses or activities, intensity, density, building height, lot coverage, impervious surface limits, vegetation retention requirements, regulations for critical areas as defined in RCW 36.70A.030, cultural resource regulations, regulations for the protection of the environment, human health, and human safety, protections for other uses and activities, regulations for billboards and freestanding signs, requirements for public facilities or services, or uses, activities, developments, or structures that would have a probable adverse impact on the human or natural environment;

(4) Amendments to development regulations that, upon implementation of a project action, will provide increased environmental protection, limited to the following:

(a) Increased protections for critical areas, such as enhanced buffers or setbacks;

(b) Increased vegetation retention or decreased impervious surface areas in shoreline jurisdiction; and

(c) Increased vegetation retention or decreased impervious surface areas in critical areas;

(5) Amendments to technical codes adopted by a county, city, or town to ensure consistency with minimum standards contained in state law, including the following:

(a) Building codes required by chapter 19.27 RCW;

(b) Energy codes required by chapter 19.27A RCW; and

(c) Electrical codes required by chapter 19.28 RCW.

NEW SECTION. Sec. 8. A new section is added to chapter 43.21C RCW to read as follows:

(1) The lead agency for an environmental review under this chapter utilizing an environmental checklist developed by the department of ecology pursuant to RCW 43.21C.110 may satisfy the requirements of the checklist by identifying instances where questions on the checklist are adequately covered by a specifically identified provision of a locally adopted ordinance, development regulation, land use plan, or other legal authority.

(2) In instances where the locally adopted ordinance, development regulation, land use plan, or other legal authority provide the necessary information to answer a specific question, the lead agency must explain how the proposed project satisfies the underlying local legal authority.

(3) If the lead agency identifies instances where questions on the checklist are adequately covered by a locally adopted ordinance, development regulation, land use plan, or other legal authority, an applicant may still provide answers to any questions on the checklist.

(4) Nothing in this section authorizes a lead agency to ignore or delete a question on the checklist.

(5) Nothing in this section affects the appeal provisions provided in this chapter.

(6) Nothing in this section modifies existing rules for determining the lead agency, as defined in WAC 197-11-922 through 197-11-948, nor does it modify agency procedures for complying with the state environmental policy act when an agency other than a local government is serving as the lead agency.

Sec. 9. RCW 36.70A.490 and 1995 c 347 s 115 are each amended to read as follows:

The growth management planning and environmental review fund is hereby established in the state treasury. Moneys may be placed in the fund from the proceeds of bond sales, tax revenues, budget transfers, federal appropriations, gifts, or any other lawful source. Moneys in the fund may be spent only after appropriation. Moneys in the fund shall be used to make grants or loans to local governments for the purposes set forth in RCW 43.21C.240, 43.21C.031, or 36.70A.500. Any payment of either principal or interest, or both, derived from loans made from this fund must be deposited into the fund.

Sec. 10. RCW 36.70A.500 and 1997 c 429 s 28 are each amended to read as follows:

(1) The department of (~~community, trade, and economic development~~) commerce shall provide management services for the growth management planning and environmental review fund created by RCW 36.70A.490. The department shall establish procedures for fund management. The department shall encourage participation in the grant or loan program by other public agencies. The department shall develop the grant or loan criteria, monitor the grant or loan program, and select grant or loan recipients in consultation with state agencies participating in the grant or loan program through the provision of grant or loan funds or technical assistance.

(2) A grant or loan may be awarded to a county or city that is required to or has chosen to plan under RCW 36.70A.040 and that is qualified pursuant to this section. The grant or loan shall be provided to assist a county or city in paying for the cost of preparing an environmental analysis under chapter 43.21C RCW, that is integrated with a comprehensive plan, subarea plan, plan element, countywide planning policy, development regulation, monitoring program, or other planning activity adopted under or implementing this chapter that:

(a) Improves the process for project permit review while maintaining environmental quality; or

(b) Encourages use of plans and information developed for purposes of complying with this chapter to satisfy requirements of other state programs.

(3) In order to qualify for a grant or loan, a county or city shall:

(a) Demonstrate that it will prepare an environmental analysis pursuant to chapter 43.21C RCW and subsection (2) of this section that is integrated with a comprehensive plan, subarea plan, plan element, countywide planning policy, development regulations, monitoring program, or other planning activity adopted under or implementing this chapter;

(b) Address environmental impacts and consequences, alternatives, and mitigation measures in sufficient detail to allow the analysis to be adopted in whole or in part by applicants for development permits within the geographic area analyzed in the plan;

(c) Demonstrate that procedures for review of development permit applications will be based on the integrated plans and environmental analysis;

(d) Include mechanisms to monitor the consequences of growth as it occurs in the plan area and to use the resulting data to update the plan, policy, or implementing mechanisms and associated environmental analysis;

(e) Demonstrate substantial progress towards compliance with the requirements of this chapter. A county or city that is more than six months out of compliance with a requirement of this chapter is deemed not to be making substantial progress towards compliance; and

(f) Provide local funding, which may include financial participation by the private sector.

(4) In awarding grants or loans, the department shall give preference to proposals that include one or more of the following elements:

(a) Financial participation by the private sector, or a public/private partnering approach;

(b) Identification and monitoring of system capacities for elements of the built environment, and to the extent appropriate, of the natural environment;

(c) Coordination with state, federal, and tribal governments in project review;

(d) Furtherance of important state objectives related to economic development, protection of areas of statewide significance, and siting of essential public facilities;

(e) Programs to improve the efficiency and effectiveness of the permitting process by greater reliance on integrated plans and prospective environmental analysis;

(f) Programs for effective citizen and neighborhood involvement that contribute to greater likelihood that planning decisions can be implemented with community support; ~~(and)~~

(g) Programs to identify environmental impacts and establish mitigation measures that provide effective means to satisfy concurrency requirements and establish project consistency with the plans; or

(h) Environmental review that addresses the impacts of increased density or intensity of comprehensive plans, subarea plans, or receiving areas designated by a city or town under the regional transfer of development rights program in chapter 43.362 RCW.

(5) If the local funding includes funding provided by other state functional planning programs, including open space planning and watershed or basin planning, the functional plan shall be integrated into and be consistent with the comprehensive plan.

(6) State agencies shall work with grant or loan recipients to facilitate state and local project review processes that will implement the projects receiving grants or loans under this section.

NEW SECTION. Sec. 11. A new section is added to chapter 82.02 RCW to read as follows:

(1) The legislature finds that:

(a) Detailed environmental analysis integrated with comprehensive plans, subarea plans, and development regulations will facilitate planning for and managing growth, allow greater protection of the environment, and benefit both the general public and private property owners;

(b) Development in urban growth areas, or transfer of development rights programs, will assist in the conservation of rural, agricultural, and forest land by redirecting growth from this land to areas designated for urban development or receiving areas in cities and towns where growth should occur;

(c) Cities and towns planning for increased growth in receiving areas under chapter 43.362 RCW must comply with chapter 43.21C RCW;

(d) Planning for urban or increased growth in urban growth areas, or receiving areas under chapter 43.362 RCW in compliance with chapter 43.21C RCW, presents a financial burden on cities and towns;

(e) Planning for urban or increased growth in urban growth areas, or receiving areas under chapter 43.362 RCW in compliance with chapter 43.21C RCW, should be encouraged to ensure that the quality of life in receiving neighborhoods and the protection of environmental values over time are maintained by providing financial

assistance through the growth management planning and environmental review fund created in RCW 36.70A.490;

(f) Access to financial assistance through the growth management planning and environmental review fund created in RCW 36.70A.490 may be increased by allowing the fund to become a revolving loan program rather than only a grant program; and

(g) Counties, cities, and towns will have the ability to repay loans from the growth management planning and environmental review fund created in RCW 36.70A.490, or recoup their own costs associated with environmental review conducted at a comprehensive plan or subarea plan level, with fees they collect from developers who will benefit from the environmental review that the city or county has already conducted under chapter 43.21C RCW on a comprehensive plan or subarea plan, or in conjunction with the designation of a receiving area under chapter 43.362 RCW, and that addresses the impacts of urban development or projects using transferable development rights.

(2) Counties, cities, and towns that conduct detailed environmental review under chapter 43.21C RCW, integrated with a comprehensive plan or subarea plan within urban growth areas, are authorized to impose environmental fees on development activity as part of the financing for environmental review conducted under chapter 43.21C RCW on a comprehensive plan or subarea plan.

(3) The environmental fees:

(a) May only be imposed for environmental review costs that have been identified as reasonably related to the new development;

(b) May not exceed the proportionate share of the costs of environmental review conducted for a comprehensive plan or subarea plan; and

(c) May, if applicable, be used to repay a loan from the growth management planning and environmental review fund created in RCW 36.70A.490.

Sec. 12. RCW 82.02.020 and 2010 c 153 s 3 are each amended to read as follows:

Except only as expressly provided in chapters 67.28, 81.104, and 82.14 RCW, the state preempts the field of imposing retail sales and use taxes and taxes upon parimutuel wagering authorized pursuant to RCW 67.16.060, conveyances, and cigarettes, and no county, town, or other municipal subdivision shall have the right to impose taxes of that nature. Except as provided in RCW 64.34.440, section 11 of this act, and RCW 82.02.050 through 82.02.090, no county, city, town, or other municipal corporation shall impose any tax, fee, or charge, either direct or indirect, on the construction or reconstruction of residential buildings, commercial buildings, industrial buildings, or on any other building or building space or appurtenance thereto, or on the development, subdivision, classification, or reclassification of land. However, this section does not preclude dedications of land or easements within the proposed development or plat which the county, city, town, or other municipal corporation can demonstrate are reasonably necessary as a direct result of the proposed development or plat to which the dedication of land or easement is to apply.

This section does not prohibit voluntary agreements with counties, cities, towns, or other municipal corporations that allow a payment in lieu of a dedication of land or to mitigate a direct impact that has been identified as a consequence of a proposed development, subdivision, or plat. A local government shall not use such voluntary agreements for local off-site transportation improvements within the geographic boundaries of the area or areas covered by an adopted transportation program authorized by chapter 39.92 RCW. Any such voluntary agreement is subject to the following provisions:

(1) The payment shall be held in a reserve account and may only be expended to fund a capital improvement agreed upon by the parties to mitigate the identified, direct impact;

(2) The payment shall be expended in all cases within five years of collection; and

(3) Any payment not so expended shall be refunded with interest to be calculated from the original date the deposit was received by the county and at the same rate applied to tax refunds pursuant to RCW 84.69.100; however, if the payment is not expended within five years due to delay attributable to the developer, the payment shall be refunded without interest.

No county, city, town, or other municipal corporation shall require any payment as part of such a voluntary agreement which the county, city, town, or other municipal corporation cannot establish is reasonably necessary as a direct result of the proposed development or plat.

Nothing in this section prohibits cities, towns, counties, or other municipal corporations from collecting reasonable fees from an applicant for a permit or other governmental approval to cover the cost to the city, town, county, or other municipal corporation of processing applications, inspecting and reviewing plans, or preparing detailed statements required by chapter 43.21C RCW, including reasonable fees that are consistent with ~~((RCW 43.21C.420(6)))~~ section 5 of this act.

This section does not limit the existing authority of any county, city, town, or other municipal corporation to impose special assessments on property specifically benefited thereby in the manner prescribed by law.

Nothing in this section prohibits counties, cities, or towns from imposing or permits counties, cities, or towns to impose water, sewer, natural gas, drainage utility, and drainage system charges. However, no such charge shall exceed the proportionate share of such utility or system's capital costs which the county, city, or town can demonstrate are attributable to the property being charged. Furthermore, these provisions may not be interpreted to expand or contract any existing authority of counties, cities, or towns to impose such charges.

Nothing in this section prohibits a transportation benefit district from imposing fees or charges authorized in RCW 36.73.120 nor prohibits the legislative authority of a county, city, or town from approving the imposition of such fees within a transportation benefit district.

Nothing in this section prohibits counties, cities, or towns from imposing transportation impact fees authorized pursuant to chapter 39.92 RCW.

Nothing in this section prohibits counties, cities, or towns from requiring property owners to provide relocation assistance to tenants under RCW 59.18.440 and 59.18.450.

Nothing in this section limits the authority of counties, cities, or towns to implement programs consistent with RCW 36.70A.540, nor to enforce agreements made pursuant to such programs.

This section does not apply to special purpose districts formed and acting pursuant to Title 54, 57, or 87 RCW, nor is the authority conferred by these titles affected.

Sec. 13. RCW 43.21C.110 and 1997 c 429 s 47 are each amended to read as follows:

It shall be the duty and function of the department of ecology:

(1) To adopt and amend ~~((thereafter))~~ rules of interpretation and implementation of this chapter, subject to the requirements of chapter 34.05 RCW, for the purpose of providing uniform rules and guidelines to all branches of government including state agencies, political subdivisions, public and municipal corporations, and counties. The proposed rules shall be subject to full public hearings requirements associated with rule ~~((promulgation))~~ adoption. Suggestions for modifications of the proposed rules shall be considered on their merits, and the department shall have the authority and responsibility for full and appropriate independent ~~((promulgation and))~~ adoption of rules, assuring consistency with this chapter as amended and with the preservation of protections afforded by this chapter. The rule-making powers authorized in this section shall include, but shall not be limited to, the following phases of interpretation and implementation of this chapter:

(a) Categories of governmental actions which are not to be considered as potential major actions significantly affecting the quality of the environment, including categories pertaining to applications for water right permits pursuant to chapters 90.03 and 90.44 RCW. The types of actions included as categorical exemptions in the rules shall be limited to those types which are not major actions significantly affecting the quality of the environment. The rules shall provide for certain circumstances where actions which potentially are categorically exempt require environmental review. An action that is categorically exempt under the rules adopted by the department may not be conditioned or denied under this chapter.

(b) Rules for criteria and procedures applicable to the determination of when an act of a branch of government is a major action significantly affecting the quality of the environment for which a detailed statement is required to be prepared pursuant to RCW 43.21C.030.

(c) Rules and procedures applicable to the preparation of detailed statements and other environmental documents, including but not limited to rules for timing of environmental review, obtaining comments, data and other information, and providing for and determining areas of public participation which shall include the scope and review of draft environmental impact statements.

(d) Scope of coverage and contents of detailed statements assuring that such statements are simple, uniform, and as short as practicable; statements are required to analyze only reasonable alternatives and probable adverse environmental impacts which are significant, and may analyze beneficial impacts.

(e) Rules and procedures for public notification of actions taken and documents prepared.

(f) Definition of terms relevant to the implementation of this chapter including the establishment of a list of elements of the environment. Analysis of environmental considerations under RCW 43.21C.030(2) may be required only for those subjects listed as elements of the environment (or portions thereof). The list of elements of the environment shall consist of the "natural" and "built" environment. The elements of the built environment shall consist of public services and utilities (such as water, sewer, schools, fire and police protection), transportation, environmental health (such as explosive materials and toxic waste), and land and shoreline use (including housing, and a description of the relationships with land use and shoreline plans and designations, including population).

(g) Rules for determining the obligations and powers under this chapter of two or more branches of government involved in the same project significantly affecting the quality of the environment.

(h) Methods to assure adequate public awareness of the preparation and issuance of detailed statements required by RCW 43.21C.030(2)(c).

(i) To prepare rules for projects setting forth the time limits within which the governmental entity responsible for the action shall comply with the provisions of this chapter.

(j) Rules for utilization of a detailed statement for more than one action and rules improving environmental analysis of nonproject proposals and encouraging better interagency coordination and integration between this chapter and other environmental laws.

(k) Rules relating to actions which shall be exempt from the provisions of this chapter in situations of emergency.

(l) Rules relating to the use of environmental documents in planning and decision making and the implementation of the substantive policies and requirements of this chapter, including procedures for appeals under this chapter.

(m) Rules and procedures that provide for the integration of environmental review with project review as provided in RCW 43.21C.240. The rules and procedures shall be jointly developed with the department of ~~((community, trade, and economic development))~~ commerce and shall be applicable to the preparation of environmental documents for actions in counties, cities, and towns planning under

RCW 36.70A.040. The rules and procedures shall also include procedures and criteria to analyze planned actions under ~~((RCW 43.21C.031(2)))~~ section 3 of this act and revisions to the rules adopted under this section to ensure that they are compatible with the requirements and authorizations of chapter 347, Laws of 1995, as amended by chapter 429, Laws of 1997. Ordinances or procedures adopted by a county, city, or town to implement the provisions of chapter 347, Laws of 1995 prior to the effective date of rules adopted under this subsection (1)(m) shall continue to be effective until the adoption of any new or revised ordinances or procedures that may be required. If any revisions are required as a result of rules adopted under this subsection (1)(m), those revisions shall be made within the time limits specified in RCW 43.21C.120.

(2) In exercising its powers, functions, and duties under this section, the department may:

(a) Consult with the state agencies and with representatives of science, industry, agriculture, labor, conservation organizations, state and local governments, and other groups, as it deems advisable; and

(b) Utilize, to the fullest extent possible, the services, facilities, and information (including statistical information) of public and private agencies, organizations, and individuals, in order to avoid duplication of effort and expense, overlap, or conflict with similar activities authorized by law and performed by established agencies.

(3) Rules adopted pursuant to this section shall be subject to the review procedures of chapter 34.05 RCW.

Sec. 14. RCW 43.21C.095 and 1983 c 117 s 5 are each amended to read as follows:

The rules ~~((promulgated))~~ adopted under RCW 43.21C.110 shall be accorded substantial deference in the interpretation of this chapter."

With the consent of the house, amendment (1109) to the striking amendment was withdrawn.

Representative Taylor moved the adoption of amendment (1101) to the striking amendment.

On page 2, line 14 of the amendment, after "checklist" insert ", including climate and greenhouse gases"

Representatives Taylor and Fitzgibbon spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1101) to the striking amendment was adopted.

Representative Taylor moved the adoption of amendment (1117) to the striking amendment.

On page 7, line 27 of the striking amendment, after "RCW 36.70A.490;" insert "and"

On page 7, line 28 of the striking amendment, after "sources" strike "; and" and insert "."

On page 7, beginning on line 29 of the striking amendment, strike all of subsection (c)

On page 7, beginning on line 34 of the striking amendment, strike all of subsections (3) through (5) on page 8

On page 16, beginning on line 21 of the striking amendment, strike all of section 11 and insert "NEW SECTION. Sec. 11 A new section is added to chapter 82.02 RCW to read as follows:

The legislature finds that:

(1) Detailed environmental analysis integrated with comprehensive plans, subarea plans, and development regulations will facilitate planning for and managing growth, allow greater protection of the environment, and benefit both the general public and private property owners;

(2) Development in urban growth areas, or transfer of development rights programs, will assist in the conservation of rural, agricultural, and forest land by redirecting growth from this land to areas designated for urban development or receiving areas in cities and towns where growth should occur;

(3) Cities and towns planning for increased growth in receiving areas under chapter 43.362 RCW must comply with chapter 43.21C RCW;

(4) Planning for urban or increased growth in urban growth areas, or receiving areas under chapter 43.362 RCW in compliance with chapter 43.21C RCW, presents a financial burden on cities and towns;

(5) Planning for urban or increased growth in urban growth areas, or receiving areas under chapter 43.362 RCW in compliance with chapter 43.21C RCW, should be encouraged to ensure that the quality of life in receiving neighborhoods and the protection of environmental values over time are maintained by providing financial assistance through the growth management planning and environmental review fund created in RCW 36.70A.490; and

(6) Access to financial assistance through the growth management planning and environmental review fund created in RCW 36.70A.490 may be increased by allowing the fund to become a revolving loan program rather than only a grant program."

On page 18, beginning on line 1 of the striking amendment, strike all of section 12

Re-number the remaining sections consecutively and correct any internal references accordingly.

Correct the title.

Representatives Taylor and Fitzgibbon spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1117) to the striking amendment was adopted.

Representative Fitzgibbon moved the adoption of amendment (1131) to the striking amendment.

On page 13, beginning on line 11 of the striking amendment, strike all of section 8

Re-number the remaining sections consecutively and correct any internal references accordingly.

Representatives Fitzgibbon and Taylor spoke in favor of the adoption of the amendment to the striking amendment.

Amendment (1131) to the striking amendment was adopted.

With the consent of the house, amendment 1100 to the striking amendment was withdrawn.

Representative McCoy moved the adoption of amendment (1050) to the striking amendment.

On page 23, after line 8 of the amendment, insert the following:
"NEW SECTION. Sec. 15. A new section is added to chapter 43.21C RCW to read as follows:

Upon receiving a completed environmental checklist, the lead agency shall provide the checklist and other submitted documents to the federally recognized tribe or tribes affected by the proposed project. The lead agency shall provide notice of the proposed project by mail and electronic mail to the applicable tribal chair and natural resource manager."

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

Amendment (1050) to the striking amendment was adopted.

Representative Fitzgibbon spoke in favor of the adoption of the striking amendment.

Amendment (1083) as amended was adopted.

The bill was ordered engrossed.

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

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

Representative Taylor spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute House Bill No. 2253.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2253, and the bill passed the House by the following vote: Yeas, 92; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, 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, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Finn, McCune, Morris, Overstreet, Taylor and Van De Wege.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2253, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2304, by Representatives Hudgins, Hunt and Moscoso

Transferring the low-level radioactive waste site use permit program from the department of ecology to the department of health.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2304.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2304, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

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

Voting nay: Representatives Liias and Upthegrove.

HOUSE BILL NO. 2304, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2356, by Representatives Warnick, Dunshee, Haigh, Buys, Van De Wege and Tharinger

Concerning state capital funding of health and safety improvements at agricultural fairs.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2536 was substituted for House Bill No. 2536 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2536 was read the second time.

Representative Dickerson moved the adoption of amendment (1077).

On page 8, line 32, after "participants." insert "In its review of practices, the department shall work to identify programs that have been utilized with a diverse set of clients as well as consult with tribal governments, experts within ethnically diverse communities, and community organizations that service diverse communities."

On page 8, line 35, after "treatment" insert "services"

On page 9, line 3, after "standards" insert "and in a manner that is culturally competent and effective within ethnically diverse populations"

On page 16, line 19, after "participants." insert "In its review of practices, the department shall work to identify programs that have been utilized with a diverse set of clients as well as consult with tribal governments, experts within ethnically diverse communities, and community organizations that service diverse communities."

On page 16, line 29, after "standards" insert "and in a manner that is culturally competent and effective within ethnically diverse populations"

On page 21, line 33, after "participants." insert "In its review of practices, the department shall work to identify programs that have been utilized with a diverse set of clients as well as consult with tribal governments, experts within ethnically diverse communities, and community organizations that service diverse communities."

On page 22, line 5, after "standards" insert "and in a manner that is culturally competent and effective within ethnically diverse populations"

On page 24, beginning on line 8, after "that" strike all material through "medical" on line 13 and insert ":

(i) Conflicts with the requirements of the department's section 1915(b) medicaid mental health waiver; or

(ii) Would substantially reduce federal financial participation in mental health, child welfare or other health care services provided through department programs, resulting in impaired access to appropriate and effective services for a substantial number of eligible"

On page 25, line 15, after "services" insert ", including an analysis that is disaggregated by race, ethnicity, and gender"

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

Amendment (1077) was adopted.

Representative Kagi moved the adoption of amendment (1099).

On page 23, beginning on line 25, strike all of subsection (d)

On page 23, beginning on line 30, after "sections" strike "3, 5, and 7" and insert "3 and 5"

On page 23, beginning on line 32, after "(3)" insert "All training of the child welfare workforce will be delivered through the alliance for workforce excellence at the university of Washington school of social work in accordance with their existing agreement with the children's administration. Any such training will be offered as funds are available and in a manner that optimizes federal reimbursement.

(4)"

Re-number the remaining subsections consecutively and correct any internal references accordingly.

On page 24, line 24, after "Develop" strike "a unified" and insert "an integrated"

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

Amendment (1099) 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 Dickerson and Walsh 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 Second Substitute House Bill No. 2536.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2536, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan,

Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representative Overstreet.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2536, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2590, by Representatives Bailey and Buys

Extending the expiration of the pollution liability insurance agency's authority and its funding source.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2590 was substituted for House Bill No. 2590 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2590 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 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 House Bill No. 2590.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2590, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

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

Voting nay: Representative Overstreet.

SUBSTITUTE HOUSE BILL NO. 2590, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1860, by Representative Hurst**Regarding partisan elections.**

The bill was read the second time.

There being no objection, Third Substitute House Bill No. 1860 was substituted for House Bill No. 1860 and the third substitute bill was placed on the second reading calendar.

THIRD SUBSTITUTE HOUSE BILL NO. 1860 was read the second time.

Representative Shea moved the adoption of amendment (1137).

On page 3, line 20, after "ballot." insert "If the ballot is returned in the return envelope provided, but outside of the security envelope, it shall not be grounds to invalidate the ballot."

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

Amendment (1137) 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 Hurst and Shea 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 Third Substitute House Bill No. 1860.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Third Substitute House Bill No. 1860, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED THIRD SUBSTITUTE HOUSE BILL NO. 1860, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2265, by Representatives Probst, Haler, Haigh, Rivers, Zeiger, Seaquist, Sells, Jinkins, Roberts, Hunt, Santos, Kelley, Finn and Ryu

Establishing Washington works payments to increase graduation rates, address critical skill shortages, increase student success, and narrow the educational opportunity gap. Revised for 2nd Substitute: Creating the Washington works indicators work group. (REVISED FOR ENGROSSED: Establishing Washington works indicators for four-year institutions of higher education.)

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2265 was substituted for House Bill No. 2265 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2265 was read the second time.

Representative Probst moved the adoption of amendment (1141).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that:

- (a) Economic strength is directly interconnected with education;
- (b) Increasing graduation rates improves economic competitiveness;
- (c) Graduation is only the beginning for each student, and should be followed by success in the workplace; and
- (d) Most students seek a degree that results in a good job.

(2) The legislature makes it an economic priority for Washington to:

- (a) Increase graduation rates;
- (b) Increase graduation rates in fields addressing critical skill shortages; and
- (c) Narrow the educational opportunity gap for disadvantaged students and minority students.

(3) The legislature intends that:

- (a) The state of Washington distinguish itself in the national and global economy by becoming the fastest-growing provider of highly-skilled workers for targeted industries;
- (b) The percentage of households in the state of Washington living in the middle income bracket or above, as defined in RCW 28B.145.060, increase over time; and
- (c) To achieve these objectives, Washington works indicators be established for four-year institutions of higher education.

(4) The legislature reaffirms the findings and intent expressed in section 1 of the higher education opportunity act, chapter 10, Laws of 2011 1st sp. sess., and intends to further advance the goal of ensuring that Washington taxpayers earn a high-value return on their investment by developing and implementing a plan for measuring and rewarding the performance of the state's four-year institutions of higher education.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

- (1) "Board" means the higher education coordinating board's successor.
- (2) "Council" means the council of presidents of the four-year institutions of higher education.
- (3) "Director" means the director of the office.

(4) "Education data center" means the education data center established under RCW 43.41.400.

(5) "Four-year institutions of higher education" means the state universities, the regional universities, and the state college, all as defined in RCW 28B.10.016.

(6) "Graduation" means receipt of a baccalaureate or advanced degree.

(7) "Graduation in fields addressing critical skill shortages" means graduation in the fields specified in RCW 28B.76.270(2)(k).

(8) "Growth" means a change relative to the prior academic year.

(9) "Narrowing the achievement gap" means increasing the number of graduations by in-state disadvantaged students and in-state minority students.

(10) "Office" means the office of financial management.

(11) "Washington works indicators" means: (a) Increasing graduations; (b) increasing graduations in fields addressing critical skill shortages; and (c) narrowing the educational opportunity gap for disadvantaged students and minority students.

NEW SECTION. Sec. 3. (1) By December 1, 2012, the office shall develop a recommended plan for measuring and rewarding performance of four-year institutions of higher education, and report on the recommended plan to the legislature and the governor.

(2) In developing the recommended plan, the office shall:

(a) Consult with the board and the council;

(b) Examine and recommend appropriate metrics for measuring performance, which may include, but are not limited to, the metrics set forth in section 4 of this act; and

(c) Design and recommend an appropriate means of rewarding performance, which may include, but is not limited to, the means set forth in section 5 of this act.

(3) This section expires July 1, 2013.

NEW SECTION. Sec. 4. (1) This section applies unless modified by the legislature following receipt of the report described in section 3 of this act.

(2) By July 1, 2012, and each July 1st thereafter, the office shall measure performance on Washington works indicators using the metrics described in subsection (3) of this section, which awards points for each indicator and results in a single numeric score for each four-year institution of higher education.

(3)(a) Except as provided in (b) of this subsection, the office shall award:

(i) One point per student for growth in the number of students who earn baccalaureate or advanced degrees, as specified in RCW 28B.76.270(2)(a) and (b);

(ii) An additional point per student for growth in the number of students who earn baccalaureate or advanced degrees in fields addressing critical skill shortages, as defined in section 2(7) of this act as the fields specified in RCW 28B.76.270(2)(k); and

(iii) An additional point per student for growth in the number of in-state disadvantaged students and in-state minority students who earn baccalaureate or advanced degrees, as shown in data reported by the four-year institutions of higher education pursuant to RCW 28B.76.270.

(b) A four-year institution of higher education may modify points awarded for each indicator, so long as the institution: Uses the three metrics described in (a) of this subsection and no other metrics; awards no more than three points for three metrics; and awards at least one-half of one point, but no more than two points, per metric. If a four-year institution of higher education modifies points awarded for each indicator, the office shall award points to the four-year institution in a consistent manner.

(4) In measuring performance under subsection (2) of this section, the office shall make statistical adjustments for student

demographics. The office also may collect additional contextual data from existing sources.

NEW SECTION. Sec. 5. (1) This section applies unless modified by the legislature following receipt of the report described in section 3 of this act.

(2) In the 2013-15 omnibus operating appropriations act, and each omnibus operating appropriations act thereafter, the legislature shall determine whether an amount shall be transferred and disbursed as provided in this subsection, and if so, the percentage of general fund--state appropriations and education legacy trust account--state appropriations on which the amount shall be based.

(3) Subject to legislative action described in subsection (2) of this section:

(a) On July 1, 2013, and each July 1st thereafter, the state treasurer shall transfer from the state general fund to the higher education coordinating board fund for innovation and quality an amount equivalent to the percentage determined by the legislature of:

(i) The general fund--state appropriation for the current fiscal year for each four-year institution of higher education; and

(ii) One-half of the education legacy trust account--state appropriation for the current biennium for each four-year institution of higher education.

(b) On July 1, 2013, and each July 1st thereafter, allotments of the general-fund--state appropriation for the current fiscal year for each four-year institution of higher education shall be adjusted to reflect the institution's proportionate share of the amount transferred from the general fund--state to the higher education coordinating board fund for innovation and quality under (a) of this subsection.

(4) Subject to legislative action described in subsection (2) of this section, on July 10, 2013, and each July 10th thereafter, the office shall disburse funds to four-year institutions of higher education as rewards for performance on Washington works indicators through student-focused strategies, as measured by the office under section 4 of this act.

(a) The amount available to be disbursed to four-year institutions of higher education under this section for the current fiscal year shall be equal to the total amount transferred under subsection (3) of this section for the current fiscal year.

(b) The amount to be disbursed per point awarded under section 4 of this act shall be set by the office.

(5) In disbursing funds as rewards, the office has discretion to distinguish between actual performance on Washington works indicators through student-focused strategies and the appearance of performance through data manipulation or other nonstudent-focused means.

NEW SECTION. Sec. 6. Four-year institutions of higher education are encouraged to redistribute resources and realign course offerings to: Increase graduations in fields addressing critical skill shortages; and improve performance on other Washington works indicators.

NEW SECTION. Sec. 7. (1) By July 1, 2013, and each July 1st thereafter, the education data center shall analyze employment or continued education in consultation with the employment security department, the board, and the council. The education data center also may analyze employment or continued education in consultation with the wage record interchange system in the federal department of labor, if allowed and if appropriate, and other accurate sources of employment and earnings data, if necessary. Before July 1, 2013, the council may recommend to the education data center other accurate sources of employment and earnings data that should be analyzed, and the education data center shall include the recommended sources in its analysis under this subsection. The council also may submit such recommendations to the legislature.

(2) The education data center shall publish the analyses required under this section on its web site. The analyses must include aggregate data as well as data disaggregated by four-year institution of higher education, unless based on fewer than ten individuals. The analyses must be labeled to identify data included and excluded from the analyses, and also must include a statement that the analyses of employment or continued education do not represent the employment rate of graduates for the four-year institution of higher education.

(3) The education data center must update data-sharing and research agreements under RCW 43.41.400, consistent with applicable security and confidentiality requirements, to facilitate the work of the center under this section.

(4) For the purposes of this section, "employment or continued education" means that, within one year of graduation, a student either has an annual income that exceeds the federal poverty level, as determined by the United States department of health and human services for a family of four, or is enrolled in postsecondary education.

Sec. 8. RCW 28B.120.040 and 1999 c 169 s 7 are each amended to read as follows:

(1) The higher education coordinating board fund for innovation and quality is hereby established in the custody of the state treasurer.

(2) The higher education coordinating board shall deposit in the fund all moneys received under RCW 28B.120.030. Moneys received under RCW 28B.120.030 in the fund may be spent only for the purposes of RCW 28B.120.010 and 28B.120.020. Disbursements from the fund of moneys received under RCW 28B.120.030 shall be on the authorization of the higher education coordinating board.

(3) Moneys transferred to the fund under section 5 of this act may be disbursed only to four-year institutions of higher education as rewards for performance on Washington works indicators, as specified in section 5 of this act. Disbursements from the fund of moneys transferred to the fund under section 5 of this act shall be only on the authorization of the office of financial management.

(4) The fund is subject to the allotment procedure provided under chapter 43.88 RCW, but no appropriation is required for disbursements.

NEW SECTION. Sec. 9. Sections 1 through 7 of this act constitute a new chapter in Title 28B RCW."

Correct the title.

Representative Probst spoke in favor of the adoption of the striking amendment.

Representatives Haler and Alexander spoke against the adoption of the striking amendment.

Amendment (1141) was adopted.

The bill was ordered engrossed.

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

Representative Probst 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 Second Substitute House Bill No. 2265.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2265, and the bill passed the

House by the following vote: Yeas, 60; Nays, 38; Absent, 0; Excused, 0.

Voting yea: Representatives Anderson, Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Overstreet, Parker, Pearson, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh, Warnick, Wilcox and Zeiger.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2265, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2735, by Representatives Wylie, Zeiger and Dunshee

Regarding intermediate capital projects and minor works.

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 Wylie and Zeiger spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2735.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2735, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

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

Voting nay: Representative Overstreet.

HOUSE BILL NO. 2735, having received the necessary constitutional majority, was declared passed.

THIRD READING

There being no objection, the rules were suspended, and SUBSTITUTE HOUSE BILL NO. 1832 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 HOUSE BILL NO. 1832, by House Committee on Labor & Workforce Development (originally sponsored by Representatives Uptegrove, Moscoso, Fitzgibbon, Stanford, Pettigrew, Sells, Goodman, Roberts, Green, Frockt, Kenney and Ormsby)

Addressing the rights of employees of service contractors at certain airports.

The bill was read the second time.

Representative Santos moved the adoption of amendment (1074).

On page 2, line 10, after "tier" strike all material through "persons" and insert "but not an airport concessionaire disadvantaged business enterprise certified by the office of minority and women's business enterprises"

On page 3, line 17, after "(1)" insert "The legislative recognizes the airport's role as a major economic engine in the Puget Sound region and the state of Washington now and in the future. The legislature also recognizes that the airport's agenda for future growth includes redevelopment of the airport concessions program. The legislature finds that this growth and redevelopment create unique opportunities to preserve and expand employment prospects and improve job security for concessions employees, and also to meet conditions and achieve minority- and women-owned business participation goals of federal aviation administration and other federal programs. The legislature therefore intends to establish labor and employment standards for contractors and subcontractors, consistent with the exclusion for disadvantaged business enterprises in section 1(6) of this act.

(2)"

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

On page 8, after line 23, insert the following:

"(10) Subsections (2) through (9) of this section do not apply to airport concessionaire disadvantaged business enterprises certified by the office of minority and women's business enterprises, or contracts or subcontracts counted toward achieving the minority- and women-owned business participation goals of federal aviation administration and other federal programs."

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

Representative Sells spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Moeller presiding) divided the House. The result was 52 - YEAS; 46 - NAYS.

Amendment (1074) was adopted.

There being no objection, the House deferred action on SUBSTITUTE HOUSE BILL NO. 1832, and the bill held its place on the second reading calendar.

HOUSE BILL NO. 2353, by Representatives Liias and Condotta

Allowing lunch breaks for registered tow truck operators while requiring reasonable availability.

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 House Bill No. 2353.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2353, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

HOUSE BILL NO. 2353, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2341, by Representatives Jinkins, Cody, Ladenburg, Van De Wege, Green, Reykdal, Moeller, Tharinger, McCoy, Darneille and Hunt

Concerning community benefits provided by hospitals.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2341 was substituted for House Bill No. 2341 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2341 was read the second time.

Representative Jinkins moved the adoption of amendment (1115).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 70.41 RCW to read as follows:

(1) As of January 1, 2013, each hospital that is recognized by the internal revenue service as a 501(c)(3) nonprofit entity must make its federally required community health needs assessment widely available to the public within fifteen days of submission to the internal revenue service. Following completion of the initial community health needs assessment, each hospital in accordance with the internal revenue service, shall complete and make widely available to the public an assessment once every three years.

(2) Unless contained in the community health needs assessment under subsection (1) of this section, a hospital subject to the requirements under subsection (1) of this section shall make public a description of the community served by the hospital, including both a geographic description and a description of the general population served by the hospital; and demographic information such as leading causes of death, levels of chronic illness, and descriptions of the medically underserved, low-income, and minority, or chronically ill populations in the community.

(3)(a) Each hospital subject to the requirements of subsection (1) of this section shall make widely available to the public a community benefit implementation strategy within one year of completing its community health needs assessment. In developing the implementation strategy, hospitals shall consult with community-based organizations and stakeholders, and local public health jurisdictions, as well as any additional consultations the hospital decides to undertake. Unless contained in the implementation strategy under this subsection (3)(a), the hospital must provide a brief explanation for not accepting recommendations for community benefit proposals identified in the assessment through the stakeholder consultation process, such as excessive expense to implement or infeasibility of implementation of the proposal.

(b) Implementation strategies must be evidence-based, when available; or development and implementation of innovative programs and practices should be supported by evaluation measures.

(4) For the purposes of this section, the term "widely available to the public" has the same meaning as in the internal revenue service guidelines."

Correct the title.

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

Amendment (1115) was adopted.

The bill was ordered engrossed.

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

Representatives Jinkins and 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 Engrossed Substitute House Bill No. 2341.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2341, and the bill passed the House by the following vote: Yeas, 63; Nays, 35; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Goodman,

Green, Haigh, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Ladenburg, Lias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Roberts, Ross, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Ahern, Angel, Asay, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeyer, Fagan, Haler, Hargrove, Harris, Hinkle, Hope, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Rodne, Schmick, Shea, Short, Smith, Taylor, Warnick, Wilcox and Zeiger.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2341, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2330, by Representatives Cody, Jinkins, Darneille, Pollet, Wylie, Appleton, Goodman, Pedersen, Roberts, Van De Wege, Carlyle, Maxwell, Fitzgibbon, Hudgins, Reykdal, Santos, McCoy, Clibborn, Kagi, Lytton, Moscoso, Springer, Eddy, Lias, Hunt, Moeller, Tharinger, Billig, Kenney, Ryu, Dickerson, Stanford and Ormsby

Concerning health plan coverage for the voluntary termination of a pregnancy.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2330 was substituted for House Bill No. 2330 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2330 was read the second time.

Representative Hinkle moved the adoption of amendment (1114).

On page 2, line 1, after "(1)" strike "If" and insert "Except as provided in subsection (5) of this section, if"

On page 2, after line 20, insert the following:

"(5) This section does not apply to a health plan if the application of this section to the plan would result in noncompliance with the consolidated appropriations act, 2012, P.L. 112-74, division F, section 508(d) (December 23, 2011) as readopted or incorporated by reference in any applicable appropriations act."

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

Amendment (1114) was adopted.

With the consent of the house, amendment (890) was withdrawn.

The bill was ordered engrossed.

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

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

Representatives Bailey, Klippert, Hinkle and Armstrong spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2330.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2330, and the bill passed the House by the following vote: Yeas, 52; Nays, 46; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Eddy, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Roberts, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Anderson, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Finn, Haler, Hargrove, Harris, Hinkle, Hope, Hurst, Johnson, Klippert, Kretz, Kristiansen, McCune, Miloscia, Nealey, Orcutt, Overstreet, Parker, Pearson, Probst, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh, Warnick, Wilcox and Zeiger.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2330, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2671, by Representatives Takko and Fitzgibbon

Clarifying procedures for appealing department of ecology final action on a local shoreline master program by ensuring consistency with existing procedural provisions of the growth management act, chapter 36.70A RCW, the administrative procedure act, chapter 34.05 RCW, and the state environmental policy act, chapter 43.21C RCW.

The bill was read the second time.

With the consent of the house, amendment (1118) was withdrawn.

Representative Orcutt moved the adoption of amendment (1116).

On page 1, line 11, after "amendment" strike "by rule"

Representatives Orcutt and Takko spoke in favor of the adoption of the amendment.

Amendment (1116) was adopted.

The bill was ordered engrossed.

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

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

Representative Angel spoke against the passage of the bill.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2671, and the bill passed the House by the following vote: Yeas, 54; Nays, 44; Absent, 0; Excused, 0.

Voting yea: Representatives Anderson, Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Reykdal, Roberts, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Hope, Hurst, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, Morris, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh, Warnick, Wilcox and Zeiger.

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

HOUSE BILL NO. 2733, by Representatives Jinkins, Upthegrove and Clibborn

Concerning rates and charges for storm water control facilities.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2733 was substituted for House Bill No. 2733 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2733 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 Jinkins spoke in favor of the passage of the bill.

Representative Armstrong spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2733.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2733, and the bill passed the House by the following vote: Yeas, 62; Nays, 36; Absent, 0; Excused, 0.

Voting yea: Representatives Anderson, Appleton, Asay, Bailey, Billig, Blake, Carlyle, Clibborn, Cody, Dammeier, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Goodman,

Green, Haigh, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Roberts, Ryu, Santos, Seaquist, Sells, Smith, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Angel, Armstrong, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Rodne, Ross, Schmick, Shea, Short, Taylor, Walsh, Warnick and Wilcox.

SUBSTITUTE HOUSE BILL NO. 2733, having received the necessary constitutional majority, was declared passed.

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

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

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

HOUSE BILL NO. 2420
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2510
THIRD SUBSTITUTE HOUSE BILL NO. 2585

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

SECOND READING

HOUSE BILL NO. 2604, by Representatives Dickerson and Kenney

Transferring the powers, duties, and functions of the developmental disabilities endowment from the department of health to the department of commerce.

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 Dickerson spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2604.

MOTION

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2604, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

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

HOUSE BILL NO. 2604, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2624, by Representatives Hunt and Taylor

Concerning the administration of medical expense plans for state government retirees.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2624.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2624, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Pedersen.

HOUSE BILL NO. 2624, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2697, by Representatives Ormsby and Bailey

Addressing membership on city disability boards.

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 Ormsby 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 House Bill No. 2697.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2697, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Pedersen.

HOUSE BILL NO. 2697, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2738, by Representatives Bailey and Ormsby

Modifying the membership of the select committee on pension policy.

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2738.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2738, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist,

Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representative Pedersen.

HOUSE BILL NO. 2738, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2757, by Representative Moeller

Creating accounts for the center for childhood deafness and hearing loss and for the school for the blind.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2757 was substituted for House Bill No. 2757 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2757 was read the second time.

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

Representatives Moeller 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 Substitute House Bill No. 2757.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2757, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Pedersen.

SUBSTITUTE HOUSE BILL NO. 2757, having received the necessary constitutional majority, was declared passed.

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

HOUSE BILL NO. 2488, by Representatives Green, Ladenburg, Kelley, Dammeier and Upthegrove

Concerning municipally produced class A biosolids.

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 Green spoke in favor of the passage of the bill.

Representative Short spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2488.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2488, and the bill passed the House by the following vote: Yeas, 57; Nays, 40; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Asay, Billig, Carlyle, Clibborn, Cody, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Lias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Moscoso, Ormsby, Orwall, Pettigrew, Pollet, Probst, Reykdal, Roberts, Ryu, Santos, Seaquist, Sells, Springer, Sullivan, Takko, Tharinger, Upthegrove, Walsh, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Anderson, Angel, Armstrong, Bailey, Blake, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Haler, Hargrove, Harris, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Morris, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Stanford, Taylor, Van De Wege and Warnick.

Excused: Representative Pedersen.

HOUSE BILL NO. 2488, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2238, by Representatives Wilcox, Clibborn, Armstrong, Billig, Takko, Rivers, Angel, Hinkle, Schmick, Orcutt, Johnson, Warnick, Dahlquist, Blake and Chandler

Regarding wetlands mitigation. Revised for 2nd Substitute: Regarding wetlands mitigation. (REVISED FOR ENGROSSED: Regarding environmental mitigation.)

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 2238 was substituted for House Bill No. 2238 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 2238 was read the second time.

Representative Wilcox moved the adoption of amendment (952).

Beginning on page 7, line 35, strike all of subsection (3) and insert "(3) The report required in subsection (2) of this section should, if deemed appropriate and funding allows, be developed in consultation with the department of transportation, the department of natural resources, the department of commerce, affected federally recognized Indian tribes, and private sector stakeholders such as forest landowners, environmental interests, and the development community."

Representatives Wilcox and Blake spoke in favor of the adoption of the amendment.

Amendment (952) 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 Wilcox and Blake 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 Second Substitute House Bill No. 2238.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2238, and the bill passed the House by the following vote: Yeas, 88; Nays, 9; Absent, 0; Excused, 1.

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

Voting nay: Representatives Appleton, Dunshee, Hansen, Hasegawa, McCoy, Pollet, Reykdal, Ryu and Wylie.

Excused: Representative Pedersen.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2238, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2615, by Representatives Goodman and Kagi

Authorizing benefit charges for the enhancement of fire protection services.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2615 was substituted for House Bill No. 2615 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2615 was read the second time.

Representative Ahern moved the adoption of amendment (1123).

On page 6, after line 2, insert the following:

"NEW SECTION. Sec. 2. A new section is added to chapter 84.55 RCW to read as follows:

A city or town imposing a benefit charge under section 1 of this act must reduce the amount of its levy that would otherwise be authorized under this chapter each year by the amount specified in the ballot proposition under section 1(7) of this act."

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

Representative Springer spoke against the adoption of the amendment.

An electronic roll call was requested.

ROLL CALL

The Clerk called the roll on the adoption of amendment (1123) and the amendment was not adopted by the following vote: Yeas, 44; Nays, 53; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Hope, Hurst, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Parker, Pearson, Probst, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh, Warnick, Wilcox and Zeiger.

Voting nay: Representatives Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Condotta, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pettigrew, Pollet, Reykdal, Roberts, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Excused: Representative Pedersen.

Amendment (1123) was not adopted.

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

Representative Goodman and Goodman again spoke in favor of the passage of the bill.

Representatives Orcutt, Eddy and Dahlquist spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2615.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2615, and the bill passed the House by the following vote: Yeas, 51; Nays, 46; Absent, 0; Excused, 1.

Voting yea: Representatives Angel, Appleton, Billig, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hasegawa, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pettigrew, Pollet, Reykdal, Roberts, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Wylie and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Asay, Bailey, Blake, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Eddy, Fagan, Haler, Hargrove, Harris, Hinkle, Hope, Hurst, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Parker, Pearson, Probst, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative Pedersen.

SUBSTITUTE HOUSE BILL NO. 2615, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2571, by Representatives Parker, Cody, Dammeier, Darneille, Alexander, Schmick, Orcutt, Hurst and Kelley

Concerning waste, fraud, and abuse prevention, detection, and recovery to improve program integrity for medical services programs. Revised for 1st Substitute: Concerning waste, fraud, and abuse prevention, detection, and recovery to improve program integrity for medical services programs. (REVISED FOR ENGROSSED: Concerning waste, fraud, and abuse detection, prevention, and recovery solutions to improve program integrity for medical services programs.)

The bill was read the second time.

There being no objection, Substitute House Bill No. 2571 was substituted for House Bill No. 2571 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2571 was read the second time.

Representative Ahern moved the adoption of amendment (1043).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. It is the intent of the legislature to:

(1) Implement waste, fraud, and abuse detection, prevention, and recovery solutions to improve program integrity for medical services programs in the state and create efficiency and cost savings through a shift from a retrospective "pay and chase" model to a prospective prepayment model; and

(2) Invest in the most cost-effective technologies or strategies that yield the highest return on investment.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Authority" means the Washington state health care authority.

(2) "Enrollee" means an individual who receives benefits through a medical services program.

(3) "Medical services programs" means those medical programs established under chapter 74.09 RCW, including medical assistance,

the limited casualty program, children's health program, medical care services, and state children's health insurance program.

NEW SECTION. Sec. 3. (1) Not later than September 1, 2012, the authority shall issue a request for information to seek input from potential contractors on capabilities that the authority does not currently possess, functions that the authority is not currently performing, and the cost structures associated with implementing:

(a) Advanced predictive modeling and analytics technologies to provide a comprehensive and accurate view across all providers, enrollees, and geographic locations within the medical services programs in order to:

(i) Identify and analyze those billing or utilization patterns that represent a high risk of fraudulent activity;

(ii) Be integrated into the existing medical services programs claims operations;

(iii) Undertake and automate such analysis before payment is made to minimize disruptions to agency operations and speed claim resolution;

(iv) Prioritize such identified transactions for additional review before payment is made based on the likelihood of potential waste, fraud, or abuse;

(v) Obtain outcome information from adjudicated claims to allow for refinement and enhancement of the predictive analytics technologies based on historical data and algorithms with the system;

(vi) Prevent the payment of claims for reimbursement that have been identified as potentially wasteful, fraudulent, or abusive until the claims have been automatically verified as valid;

(b) Provider and enrollee data verification and screening technology solutions, which may use publicly available records, for the purposes of automating reviews and identifying and preventing inappropriate payments by:

(i) Identifying associations between providers, practitioners, and beneficiaries which indicate rings of collusive fraudulent activity; and

(ii) Discovering enrollee attributes which indicate improper eligibility, including, but not limited to, death, out-of-state residence, inappropriate asset ownership, or incarceration; and

(c) Fraud investigation services that combine retrospective claims analysis and prospective waste, fraud, or abuse detection techniques. These services must include analysis of historical claims data, medical records, suspect provider databases, and high-risk identification lists, as well as direct enrollee and provider interviews. Emphasis must be placed on providing education to providers and allowing them the opportunity to review and correct any problems identified prior to adjudication.

(2) The authority is encouraged to use the results of the request for information to create a formal request for proposals to carry out the work identified in this section if the following conditions are met:

(a) The authority expects to generate state savings by preventing fraud, waste, and abuse;

(b) This work can be integrated into the authority's current medical services claims operations without creating additional costs to the state;

(c) The reviews or audits are not anticipated to delay or improperly deny the payment of legitimate claims to providers.

NEW SECTION. Sec. 4. It is the intent of the legislature that the savings achieved through this chapter shall more than cover the cost of implementation and administration. Therefore, to the extent possible, technology services used in carrying out this chapter must be secured using the savings generated by the program, whereby the state's only direct cost will be funded through the actual savings achieved. Further, to enable this model, reimbursement to the contractor may be contracted on the basis of a percentage of achieved savings model, a per beneficiary per month model, a per transaction model, a case-rate model, or any blended model of the aforementioned methodologies. Reimbursement models with the

contractor may include performance guarantees of the contractor to ensure savings identified exceeds program costs.

NEW SECTION. Sec. 5. Sections 1 through 4 of this act constitute a new chapter in Title 74 RCW.

NEW SECTION. Sec. 6. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 7. This act takes effect July 1, 2012."

Correct the title.

Representatives Parker and Dickerson spoke in favor of the adoption of the striking amendment.

Amendment (1043) 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 Parker and Dickerson 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. 2571.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2571, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Representative Overstreet.

Excused: Representative Pedersen.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2571, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Engrossed Substitute House Bill No. 2571.

Representative Overstreet, 42nd District

SECOND READING

ENGROSSED HOUSE BILL NO. 2771, by Representatives Pettigrew, Cody and Springer

Addressing employer and employee relationships under the state retirement systems.

The bill was read the second time.

With the consent of the house, amendments (1087), (958), (996) and (962) were withdrawn.

Representative Hudgins moved the adoption of amendment (957).

On page 2, line 30, after "but" strike "shall have no application to any final decision of the state supreme court" and insert "does not affect the state supreme court decision in *Dolan v. King County*, Cause No. 82842-3, and the right established therein of King County public defenders and staff to public employees' retirement system enrollment and eligibility."

Representatives Hudgins, Hinkle and Hunter spoke in favor of the adoption of the amendment.

Amendment (957) was adopted.

Representative Hunter moved the adoption of amendment (1139).

On page 43, line 23, after "41.26," strike "41.34" and insert "41.32"

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

Amendment (1139) was adopted.

Representative Hudgins moved the adoption of amendment (1139).

On page 43, line 23, after "41.26," strike "41.34" and insert "41.32"

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

Amendment (1139) 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 Hinkle 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. 2771.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2771, and the bill passed the House by the following vote: Yeas, 83; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Klippert, Kretz, Kristiansen, Ladenburg, Lias, Lytton, Maxwell, McCune, Moeller, Morris, Nealey, Orcutt, Orwall, Overstreet, Parker, Pearson, Pettigrew, Probst, Rivers, Roberts, Rodne, Ross, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Billig, Goodman, Hasegawa, Kenney, Kirby, McCoy, Miloscia, Moscoso, Ormsby, Pollet, Reykdal, Ryu, Santos and Stanford.

Excused: Representative Pedersen.

ENGROSSED HOUSE BILL NO. 2771, having received the necessary constitutional majority, was declared passed.

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

There being no objection, the House adjourned until 9:00 a.m., February 14, 2012, the 37th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

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