
FIFTY FIFTH DAY

House Chamber, Olympia, Saturday, March 5, 2011

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 Sonya Daisley-Harrison and Ariel Taylor. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Norma Smith, 10th District, Washington.

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

MESSAGE FROM THE SENATE

March 4, 2011

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL 5124
ENGROSSED SENATE BILL 5638
ENGROSSED SENATE BILL 5730
ENGROSSED SUBSTITUTE SENATE BILL 5748

and the same are herewith transmitted.

Thomas Hoemann, Secretary

INTRODUCTIONS AND FIRST READING

HB 2010 by Representatives Kirby and Bailey

AN ACT Relating to title insurance rate filings; amending RCW 48.29.005, 48.29.140, and 48.29.147; and declaring an emergency.

Referred to Committee on Business & Financial Services.

HB 2011 by Representatives Sells and Pearson

AN ACT Relating to enhancing the safety of employees working for the department of corrections through collective bargaining and binding interest arbitration; amending RCW 41.80.020; and adding new sections to chapter 41.56 RCW.

E2SSB 5000 by Senate Committee on Transportation (originally sponsored by Senators Haugen, Ericksen, Hatfield, Schoesler, Shin, Conway, Tom, Sheldon and Kilmer)

AN ACT Relating to mandating a twelve-hour impound hold on motor vehicles used by persons arrested for driving under the influence of alcohol or drugs or being in physical control of a vehicle while under the influence of alcohol or drugs; amending RCW 46.55.113; reenacting and amending RCW 46.55.113; adding new sections to chapter 46.55 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Judiciary.

ESSB 5021 by Senate Committee on Government Operations, Tribal Relations & Elections (originally sponsored by Senators Pridemore, Kline, Kohl-Welles, Keiser, Prentice, Tom, Chase, White, Nelson, Haugen and McAuliffe)

AN ACT Relating to enhancing election campaign disclosure requirements to promote greater transparency for the public; amending RCW 42.17.020, 42.17.040, 42.17.3691, 42.17A.245, 42.17.390, 42.17A.750, 42.17.395, and 42.17A.755; reenacting and amending RCW 42.17A.005 and 42.17A.205; adding a new section to chapter 42.17 RCW; adding a new section to chapter 42.17A RCW; creating a new section; prescribing penalties; providing an effective date; and providing expiration dates.

Referred to Committee on State Government & Tribal Affairs.

SB 5044 by Senators Rockefeller, Zarelli and Regala

AN ACT Relating to the tax preference review process; and amending RCW 43.136.045 and 43.136.055.

Referred to Committee on Ways & Means.

SSB 5156 by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Kohl-Welles, King, Keiser, Delvin and Conway)

AN ACT Relating to airport lounges under the alcohol beverage control act; amending RCW 66.24.440, 66.20.310, 66.20.300, 66.08.180, 66.08.220, and 68.50.107; reenacting and amending RCW 66.04.010; and adding a new section to chapter 66.24 RCW.

Referred to Committee on State Government & Tribal Affairs.

SB 5161 by Senators Fain, Schoesler, Holmquist Newbry, Conway, Delvin, Carrell, Murray, Hobbs, Pridemore and Rockefeller

AN ACT Relating to public corrections entities formed by counties or cities under RCW 39.34.030; reenacting and amending RCW 41.37.010; and creating a new section.

Referred to Committee on Ways & Means.

SSB 5222 by Senate Committee on Economic Development, Trade & Innovation (originally sponsored by Senators Kastama, Delvin, Eide, Honeyford, Hargrove, Haugen, Prentice, Hobbs, Shin and Chase)

AN ACT Relating to increasing the flexibility for industrial development district levies for public port districts; amending RCW 53.25.040; adding a new section to chapter 53.36 RCW; adding a new section to chapter 84.55 RCW; creating new sections; and repealing RCW 53.36.100 and 53.36.110.

Referred to Committee on Community Development & Housing.

SSB 5250 by Senate Committee on Transportation (originally sponsored by Senators Haugen, King, White and Swecker)

AN ACT Relating to the design-build procedure for certain projects; and amending RCW 47.20.780 and 47.20.785.

Referred to Committee on Transportation.

SSB 5300 by Senate Committee on Natural Resources & Marine Waters (originally sponsored by Senators Hargrove and Ranker)

AN ACT Relating to enhancing the use of Washington natural resources in public buildings; and amending RCW 39.35D.030 and 39.35D.040.

Referred to Committee on Capital Budget.

SB 5304 by Senators Kilmer, Brown, Rockefeller, Tom, Murray, McAuliffe and Shin

AN ACT Relating to forecasting the caseloads of the state need grant program and the Washington college bound scholarship program; amending RCW 43.88C.010; adding a new section to chapter 28B.92 RCW; and adding a new section to chapter 28B.118 RCW.

Referred to Committee on Ways & Means.

SSB 5337 by Senate Committee on Transportation (originally sponsored by Senators Stevens, Pflug, Honeyford, Swecker and Roach)

AN ACT Relating to financial assistance to privately owned airports available for general use of the public; and amending RCW 47.68.090.

Referred to Committee on Transportation.

ESSB 5366 by Senate Committee on Transportation (originally sponsored by Senators Delvin, Hewitt and Stevens)

AN ACT Relating to authorizing the use of off-road vehicles on public roadways under certain conditions or in certain areas; amending RCW 46.09.360; adding a new section to chapter 46.09 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

ESB 5377 by Senators Morton, Swecker and Stevens

AN ACT Relating to homeowners' associations; amending RCW 64.38.010 and 64.38.025; adding new sections to chapter 64.38 RCW; and providing an effective date.

Referred to Committee on Judiciary.

SSB 5386 by Senate Committee on Health & Long-Term Care (originally sponsored by Senator Pridemore)

AN ACT Relating to establishing a work group to increase organ donation in Washington state; and creating a new section.

Referred to Committee on Health Care & Wellness.

SSB 5423 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Regala, Hargrove, Chase and Kline)

AN ACT Relating to legal financial obligations; amending RCW 10.82.090, 9.94A.760, 4.56.190, 9.94A.7606, 9.94A.7607, 9.94A.7608, and 9.94A.7609; and creating a new section.

Referred to Committee on Judiciary.

2SSB 5427 by Senate Committee on Ways & Means (originally sponsored by Senator McAuliffe)

AN ACT Relating to the assessment of students in state-funded full-day kindergarten classrooms; amending RCW 28A.150.315; adding a new section to chapter 43.215 RCW; and providing an effective date.

Referred to Committee on Education.

SSB 5432 by Senate Committee on Environment, Water & Energy (originally sponsored by Senators Regala, Chase, Fraser, Rockefeller and Nelson)

AN ACT Relating to reducing fine particle pollution from solid fuel burning devices and fireplaces; amending RCW 70.94.473; and creating a new section.

Referred to Committee on Environment.

ESSB 5449 by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Brown, Pflug, Carrell, Harper, Murray, Hobbs, Fain, Delvin, Roach, Ericksen, Shin, Tom, Kohl-Welles and Kilmer)

AN ACT Relating to the unfair competition that occurs when stolen or misappropriated information technology is used to manufacture products sold or offered for sale in this state; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

SSB 5452 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Hargrove, Stevens and Haugen)

AN ACT Relating to improving communication, collaboration, and expedited medicaid attainment with regard to persons diverted, arrested, confined or to be released from confinement or commitment who have mental health or chemical dependency disorders; amending RCW 71.05.190, 71.05.425, 10.77.165, 10.31.110, 70.96B.045, 71.05.153,

71.34.340, and 70.02.900; reenacting and amending RCW 71.05.390; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Public Safety & Emergency Preparedness.

SSB 5545 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Delvin, Kohl-Welles, Hargrove, Stevens, Fraser, Swecker, Chase, McAuliffe, White, Eide, Roach, Shin and Regala)

AN ACT Relating to police investigations of commercial sexual exploitation of children and human trafficking; amending RCW 9.73.230 and 9.73.210; reenacting and amending RCW 9.68A.110; creating a new section; and providing an effective date.

Referred to Committee on Public Safety & Emergency Preparedness.

SSB 5546 by Senate Committee on Judiciary (originally sponsored by Senators Kohl-Welles, Delvin, Chase, Pflug, Fraser, Keiser, Rockefeller, Regala, Kline, Holmquist Newbry, King, Shin, White, Stevens, Roach and Conway)

AN ACT Relating to the crime of human trafficking; and amending RCW 9A.40.100, 9A.40.010, 9.95.062, and 10.64.025.

Referred to Committee on Public Safety & Emergency Preparedness.

SSB 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.

ESB 5575 by Senators Hatfield, Delvin, Eide, Schoesler, Haugen, Shin, Kilmer, Hobbs, Becker, Honeyford, Conway and Sheldon

AN ACT Relating to promoting and sustaining investment and employment in economically distressed communities dependent on agricultural or natural resource industries by recognizing certain biomass energy facilities constructed before March 31, 1999, as an eligible renewable resource; amending RCW 19.285.030; and creating new sections.

Referred to Committee on Environment.

SSB 5576 by Senate Committee on Ways & Means (originally sponsored by Senators Kilmer, Zarelli, Tom and Shin)

AN ACT Relating to capital construction and building purposes at the University of Washington and Washington State University; amending RCW 28B.20.382, 28B.20.720, 28B.20.721, 28B.20.725, 28B.20.800, 28B.20.810, 43.79.080,

28B.30.700, 28B.30.710, 28B.30.720, 28B.30.741, 28B.30.742, 28B.30.750, 43.79.110, 43.79.130, 28B.30.740, and 43.79.335; reenacting and amending RCW 28B.15.210 and 28B.15.310; and providing an expiration date.

Referred to Committee on Capital Budget.

SB 5589 by Senator Morton

AN ACT Relating to heavy haul industrial corridors; and amending RCW 46.44.0915.

Referred to Committee on Transportation.

SB 5631 by Senators Swecker, Hatfield, Haugen and Shin

AN ACT Relating to miscellaneous provisions regulated by the department of agriculture; amending RCW 69.04.331, 15.53.902, 15.65.033, 15.66.017, 15.24.900, 43.23.010, 15.17.210, 16.24.120, 16.24.130, 16.04.025, 16.72.040, 15.80.420, 15.80.440, and 15.58.150; reenacting and amending RCW 22.09.830; reenacting RCW 16.65.440; and repealing RCW 15.58.370 and 19.94.505.

Referred to Committee on Agriculture & Natural Resources.

SB 5633 by Senators Pridemore, Hewitt, Kastama and Swecker

AN ACT Relating to exempting agricultural fair premiums from the unclaimed property act; and amending RCW 63.29.020.

Referred to Committee on Ways & Means.

SSB 5658 by Senate Committee on Transportation (originally sponsored by Senators King, Haugen and Shin)

AN ACT Relating to the sale or exchange of surplus real property by the department of transportation; amending RCW 47.12.063 and 47.12.063; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

2SSB 5662 by Senate Committee on Ways & Means (originally sponsored by Senators Conway, Chase, Kline, Shin, Keiser, Kohl-Welles, White, Roach, Hobbs, Nelson, Prentice, Haugen and Fraser)

AN ACT Relating to establishing a preference for resident contractors on public works; adding a new section to chapter 39.04 RCW; and creating a new section.

Referred to Committee on State Government & Tribal Affairs.

SSB 5691 by Senate Committee on Human Services & Corrections (originally sponsored by Senator Hargrove)

AN ACT Relating to crime victims' compensation; amending RCW 7.68.020, 7.68.030, 7.68.075, 7.68.060, 7.68.070, 7.68.080, 7.68.085, 7.68.085, 7.68.125, 7.68.130, and 7.68.050; reenacting and amending RCW 7.68.070; adding new sections to chapter 7.68 RCW; creating new sections; repealing RCW 7.68.100; prescribing penalties; providing

effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Public Safety & Emergency Preparedness.

SB 5731 by Senators Chase, Kastama, Shin and Conway

AN ACT Relating to Washington manufacturing services; and amending RCW 24.50.010.

Referred to Committee on Community Development & Housing.

SSB 5741 by Senate Committee on Economic Development, Trade & Innovation (originally sponsored by Senators Kastama and Chase)

AN ACT Relating to the economic development commission; amending RCW 43.162.005, 43.162.010, 43.162.015, 43.162.020, 43.162.025, and 43.162.030; reenacting and amending RCW 43.84.092; and adding new sections to chapter 43.162 RCW.

Referred to Committee on Community Development & Housing.

SSB 5785 by Senate Committee on Transportation (originally sponsored by Senators Murray, Kohl-Welles, White, Kline, Prentice, Nelson, Brown, McAuliffe and Keiser)

AN ACT Relating to reconvening the Alaskan Way viaduct and Seattle Seawall replacement project expert review panel; and adding a new section to chapter 47.01 RCW.

Referred to Committee on Transportation.

SSB 5791 by Senate Committee on Transportation (originally sponsored by Senators Hobbs, Fain, King, Haugen and White)

AN ACT Relating to commercial activity at certain park and ride lots; and adding a new section to chapter 47.04 RCW.

Referred to Committee on Transportation.

SSB 5796 by Senate Committee on Transportation (originally sponsored by Senators Haugen, King and Shin)

AN ACT Relating to modifying provisions related to public transportation system planning; amending RCW 35.58.2795 and 35.58.2796; and adding a new section to chapter 43.19 RCW.

Referred to Committee on Transportation.

SSB 5797 by Senate Committee on Transportation (originally sponsored by Senators Fain and Haugen)

AN ACT Relating to eliminating the urban arterial trust account; amending RCW 36.70A.340, 46.68.090, 46.68.110, 47.26.084, 47.26.086, 47.26.190, 47.26.140, 47.26.423, 47.26.425, 47.26.4252, and 47.26.4254; reenacting and amending RCW 43.84.092; decodifying RCW 46.68.160; and repealing RCW 47.26.080.

Referred to Committee on Transportation.

SSB 5836 by Senate Committee on Transportation (originally sponsored by Senators King, Haugen, Hobbs, Delvin and Shin)

AN ACT Relating to allowing certain private transportation providers to use certain public transportation facilities; amending RCW 46.61.100, 46.61.165, and 47.52.025; and creating a new section.

Referred to Committee on Transportation.

SJR 8206 by Senators Zarelli, Brown, Pridemore, Tom, Kilmer, White and Parlette

Requiring extraordinary revenue growth to be transferred to the budget stabilization account.

Referred to Committee on Ways & Means.

There being no objection, the bills and resolution listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of HOUSE BILL NO. 2011 which was read the first time, and under suspension of the rules, was placed on the second reading calendar.

REPORTS OF STANDING COMMITTEES

March 4, 2011

HB 2002 Prime Sponsor, Representative Sells: Concerning industrial insurance employer wage subsidies and reimbursements for light duty or transitional work. Reported by Committee on Labor & Workforce Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sells, Chair; Reykdal, Vice Chair; Green; Kenney; Miloscia; Moeller; Ormsby and Roberts.

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

March 3, 2011

SB 5075 Prime Sponsor, Senator Fain: Changing the expiration dates of the mortgage lending fraud prosecution account and its revenue source. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Kelley, Vice Chair; Bailey, Ranking Minority Member; Buys, Assistant Ranking Minority Member; Blake; Condotta; Hudgins; Hurst; Pedersen; Rivers; Ryu and Stanford.

Referred to Committee on General Government Appropriations & Oversight.

March 3, 2011

SB 5076 Prime Sponsor, Senator Hobbs: Addressing the subpoena authority of the department of financial institutions. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Kelley, Vice Chair; Bailey, Ranking Minority Member; Buys, Assistant Ranking Minority Member; Blake; Condotta; Hudgins; Hurst; Pedersen; Rivers; Ryu and Stanford.

Passed to Committee on Rules for second reading.

March 3, 2011

SB 5213 Prime Sponsor, Senator Litzow: Addressing insurance statutes, generally. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Kelley, Vice Chair; Bailey, Ranking Minority Member; Buys, Assistant Ranking Minority Member; Blake; Condotta; Hudgins; Hurst; Pedersen; Rivers; Ryu and Stanford.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's standing committee report under the fifth order of business were referred to the committees so designated with the exception of HOUSE BILL NO. 2002 which was placed on the second reading calendar.

SECOND READING

HOUSE BILL NO. 1257, by Representatives Stanford, Kirby and Kelley

Adopting the investments of insurers model act.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1257 was substituted for House Bill No. 1257 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1257 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 Stanford and Bailey spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1257.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1257, 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, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, 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, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1257, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1694, by Representatives Stanford and Kirby

Regulating unauthorized insurance.

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 Stanford 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. 1694.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1694, 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, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, 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, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1694, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1421, by Representatives Rolfes, Lytton, Moscoso, Van De Wege, Green, Sells, Blake, Sullivan, Eddy, Fitzgibbon, Frockt, Dunshee, Ryu, Upthegrove, Kenney, Reykdal and Tharinger

Providing authority to create a community forest trust.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1421 was substituted for House Bill No. 1421 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1421 was read the second time.

With the consent of the house, amendments (124), (57) and (99) were withdrawn.

Representative Tharinger moved the adoption of amendment (243).

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) The legislature finds that since the 1980s, about seventeen percent of Washington's commercial forests have been converted to other land uses.

(2) The legislature further finds that as these forests vanish, so do the multiple benefits they provide to our communities such as local timber jobs, clean air and water, carbon storage, fish and wildlife habitat, recreation areas, and open space.

(3) The legislature further finds that it has provided policy direction to the department of natural resources to protect working forest and natural resource lands at risk of conversion, while maintaining the department's obligation to manage the state's fiduciary trust lands and financial assets in the interest of the beneficiaries of the respective trust lands and assets.

(4) The legislature further finds that there are numerous tools available to acquire open space and recreation lands, but limited tools to protect working forest lands.

(5) The legislature further finds that currently the department of natural resources lacks a full complement of policy and management tools necessary to protect or manage working forest lands at high risk of conversion.

(6) The legislature further finds that through modest enhancements to existing department of natural resources' programs and authorities, the legislature can expand Washington's ability to protect communities' working forest lands, while simultaneously improving the revenue generating performance of fiduciary trust lands managed by the department of natural resources.

(7) The legislature further finds that there has been past and present legislative intent to ensure continued public access for recreation compatible with the purposes of the lands involved.

(8) The legislature further finds that there exists an interest by local communities, governments, and conservation organizations in cooperating in the establishment of working community forests.

NEW SECTION. Sec. 2. (1) If deemed practicable by the commissioner, the department is authorized to create and manage, consistent with the provisions of this chapter, a discrete category of natural resource lands in a nonfiduciary community forest land trust. The department is authorized to assemble, hold title to, and manage directly or through mutual agreement with other landowners land suitable for sustainable forest management, to be held in the community forest trust.

(2) All land held in the community forest trust must be held by the department and actively managed, consistent with a community working forest management plan developed under section 8 of this act, to generate financial support for the management of the community forest trust and to advance and sustain the working forest conservation objectives established in the management plan.

NEW SECTION. Sec. 3. (1) The department must identify lands for inclusion into the community forest trust, and manage the resulting community forest trust lands, in furtherance of goals that must be identified by the department prior to the creation of a community forest.

(2) In addition to any goals for a community forest identified by the department, the community forest trust program must satisfy the following minimum program management principles:

(a) Protecting in perpetuity working forest lands that are at a significant risk of conversion to another land use;

(b) Securing financial and social viability through sound management plans and objectives that are consistent with the values of the local community;

(c) Maintaining the land in a working status, through traditional forestry, management of specialized forest products harvest consistent with chapter 76.48 RCW, land leases, renewable energy opportunities, ecosystem services such as clean water protection or carbon storage, and other sources of revenue appropriate for the community forest to generate;

(d) Generating revenue at levels that are, at a minimum, capable of reimbursing the department for management costs and providing for some reinvestment into the management objectives of the community forest;

(e) Providing for ongoing, sustainable public recreational access, local timber jobs, clean air and water, carbon storage, fish and wildlife habitat, and open space in a manner that is compatible with management plans and objectives adopted for the community forest; and

(f) Providing educational opportunities for local communities regarding the benefits that working forests provide to Washington's economy, communities, environment, and quality of life.

NEW SECTION. Sec. 4. (1)(a) Except as limited by section 7 of this act, the department is authorized to acquire by purchase, gift, donation, grant, transfer, or other means other than eminent domain fee interest or a partial interest, including conservation easements, in lands or other real property suitable for management as part of the community forest trust and that are appropriate to further the goals of the community forest trust.

(b) The fair market value of any real property, and the associated valuable materials, of any land transferred into the community forest trust from state lands must be provided to the beneficiaries of the transferee trust or used for the furtherance of the transferee trust.

(2) The department is authorized to receive funds for purposes of establishing the community forest trust from grants, gifts, bequests, or loans, whether public or private, as well as from legislative appropriation.

(3) All acquisitions of real property for the community forest trust must be approved by the board.

NEW SECTION. Sec. 5. (1) The department shall, if it establishes a community forest trust program, develop criteria to be used for the identification and prioritization of forest land that is suitable for potential inclusion in the community forest trust due to its ability to most closely satisfy the goals of the community forest trust outlined in section 3 of this act.

(2) In prioritizing forest land for inclusion in the community forest trust, the department shall give priority consideration to lands that are:

(a) The subject of established management and revenue production objectives of potential local community partners;

(b) At greatest risk of conversion;

(c) Helping buffer commercial public or private forest lands from encroaching development;

(d) Helping to block up other community forest assets to be managed consistently with the community forest trust acquisition;

(e) Able to be managed, considering surrounding current or expected future land use, as economically sustainable working forest land either alone or in combination with adjacent and nearby working forest land, including other lands incorporated into a community forest by the department, a local governmental entity, or a not-for-profit conservation organization managing forest lands;

(f) Eligible for trust land transfer capital appropriations;

(g) Available for acquisition through existing or new programs or funding;

(h) Supporting existing or expanded forest product manufacturing infrastructure;

(i) Useful in leveraging funds to match available acquisition moneys;

(j) Positioned to have their development rights extinguished through transfer, purchase, conservation easement, lease, or by some other comparable mechanism; or

(k) Enhancing state fiduciary trust land revenues by repositioning underperforming state trust lands to provide short and long-term revenues to that trust.

NEW SECTION. Sec. 6. (1) The department shall, if it establishes a community forest trust program, submit biennially to the office of financial management and the appropriate committees of the legislature a prioritized list that identifies nominated parcels of state land or state forest land that are suitable for transfer into the community forest trust, where such a transfer is also in the best interest of the respective trust. The department shall solicit and consider input from the board on a draft list before submitting a final prioritized list.

(2) The list of nominated parcels must reflect consideration of local nominations and the priorities outlined in section 5 of this act and be delivered to the required recipients by November 1st of each even-numbered year.

NEW SECTION. Sec. 7. (1) The department must, prior to using the authority provided in section 4 of this act to acquire land for inclusion in a community forest, obtain from the local community a commitment to preserving the land as a working forest.

(2) Following initial agreement between potential local community partners and the department regarding management and revenue production objectives for the lands in question, the local commitment to preserving the land as a working forest must be demonstrated by the county, city, or other local entity providing a financial contribution to the specific community forest of at least fifty percent of the difference between the parcel's appraised fair market value and the parcel's timber and forest land value. The local community contribution may be provided through any means deemed acceptable by the department and the local contributor, including:

(a) Traditional financing or bonding;

(b) The purchase of conservation easements; or

(c) The purchase or transfer of development rights.

(3) The local financial contribution must be deposited into the park land trust revolving fund created in RCW 43.30.385 and used solely for acquisition of the community forest trust land parcel or parcels for which it is intended.

NEW SECTION. Sec. 8. (1) All lands transferred into community forest trust status must be managed in accordance with a postacquisition management plan developed by the department consistent with this section.

(2) After exercising the authority provided in section 4 of this act to acquire land for inclusion in a community forest, the department must establish a local advisory committee in cooperation with any interested and affected local government.

(3) The department must use the local advisory committee as a source of advice and comment on a postacquisition management plan. Comments and advice should, at a minimum, include plans for how the department will maintain the land's working status and economic viability objectives through revenue-generating activities that are sufficient to generate ongoing revenue at a level that reimburses administrative costs, while satisfying, or contributing to, identified community conservation and recreation objectives.

(4)(a) If, after a good faith effort by all parties, the department and the local advisory committee fail to reach a consensus on a conceptual postacquisition management plan for the parcel in question, the department may either adopt a management plan informed by the community or recommend to the board that the parcel be divested through the existing authority of the department

and the board. If the parcel is divested, then, except as otherwise provided in this subsection, proceeds must return to the park land trust revolving fund created in RCW 43.30.385.

(b) Prior to depositing the proceeds of a land divestiture under this subsection to the park land trust revolving fund, the department must first reimburse local entities that have made financial contributions to the parcel's acquisition as provided in section 7(2) of this act. However, local entities are only eligible for reimbursement upon divestiture under this subsection if the board determines that:

(i) The subsequent parcel use is likely to remain a working forest, the department secures full fair market value for the parcel, and the local entity's contribution was not provided by a state or federal grant; or

(ii) The funds used as part of the local contribution were originally provided through a grant that requires, as a condition of the grant, the repayment of granted dollars if the purposes of the grant are not or cannot be fulfilled and the decision to divest the land creates an inability for the purposes of the grant to be fulfilled.

NEW SECTION. Sec. 9. (1) Any revenue produced on community forest trust lands must be, consistent with RCW 79.64.040, allocated as follows:

(a) All costs incurred by the department in managing the parcel must be fully reimbursed; and

(b) After the department's management costs are reimbursed, any remaining revenue must then be prioritized to fulfill the management objectives for the specific parcel as identified in the postacquisition management plan developed under section 8 of this act consistent with the management principles outlined in section 3 of this act.

(2)(a) If, by the determination of the board, there is revenue remaining in any given biennium after fulfilling the requirements of subsection (1) of this section, then the board has the discretion to reimburse any local entities' eligible financial contributions for acquisition of the parcel under section 7(2) of this act and any state contribution to the acquisition of the parcel up to an amount that represents fifty percent of the difference between the parcel's original appraised fair market value and the parcel's timber and forest land value. However, any funds used as part of the local contribution may not be reimbursed if the funds were originally provided through a state or federal grant, provided through a fully compensated transfer of development rights at fair market value, or provided by a donation of funds or property.

(b) If the board decides to reimburse the state and local contribution, then it must allocate the reimbursement so that fifty percent is provided to the state general fund and fifty percent is provided to any eligible partnering local entities.

(c) Nothing in this section creates an expectation, requirement, or fiduciary duty for the board or the associated community forest trust lands to generate revenue in excess of amounts as provided in subsection (1)(a) of this section.

NEW SECTION. Sec. 10. By September 1, 2014, and periodically, but at least once every ten years thereafter, the department shall provide to the board a review and update of the community forest trust program. The review must include updates on the performance of the community forest trust statewide and notification of any community forest trust parcels not performing according to their management plan. The department is authorized to, consistent with this chapter, recommend to the board action to divest itself of nonperforming community forest trust parcels using existing policies and mechanisms available to the department and the board.

NEW SECTION. Sec. 11. (1) The commissioner may establish and maintain a statewide advisory committee to assist the department in the implementation of this chapter.

(2) If a statewide advisory committee is established, the commissioner shall appoint a balanced representation of interests on the committee, including representatives of state fiduciary trust land beneficiaries, tribal governments, local governments, relevant state

agencies, commercial forest landowners, land trusts, and conservation organizations.

(3) The statewide advisory committee shall provide consultation on issues and questions presented by the commissioner and may be dissolved by the commissioner at any time.

(4) Participation on the statewide advisory committee is voluntary and members are not eligible for any form of compensation nor for reimbursement for expenses incurred due to service on the committee.

NEW SECTION. Sec. 12. (1) The commissioner may, if deemed practicable and beneficial by the commissioner, cooperate with interested local governments in establishing community forest districts or local working forest districts that are compatible with the goals identified in this chapter for the community forest trust. Cooperative districts would attempt to voluntarily synchronize the management of community forest trust lands, other public lands, and private lands located within a certain geographic area to further a common set of community goals. If a working forest district encompasses state lands or state forest lands, then their voluntary management to further a common set of community goals must be consistent with the department's fiduciary and other legal obligations to the trust, including the multiple use act in chapter 79.10 RCW.

(2)(a) The department may, in its sole discretion and if it deems sufficient funding to be available, provide technical assistance grants to local communities for the purpose of enabling or furthering the development of community forest management plans consistent with this chapter.

(b) This subsection does not create a private right of action.

Sec. 13. RCW 79.17.210 and 2003 c 334 s 118 are each amended to read as follows:

(1) The legislature finds that the department has a need to maintain the real property asset base it manages and needs an accounting mechanism to complete transactions without reducing the real property asset base.

(2) The natural resources real property replacement account is created in the state treasury. This account shall consist of funds transferred or paid for the disposal or transfer of real property by the department under RCW 79.17.200 and the transfer of state lands or state forest lands into community forest trust lands under section 4 of this act. The funds in this account shall be used solely for the acquisition of replacement real property and may be spent only when, and as, authorized by legislative appropriation.

Sec. 14. RCW 43.30.385 and 2009 c 354 s 9 are each amended to read as follows:

(1) The park land trust revolving fund is to be utilized by the department for the purpose of acquiring real property, including all reasonable costs associated with these acquisitions, as a replacement for the property transferred to the state parks and recreation commission, as directed by the legislature in order to maintain the land base of the affected trusts or under RCW 79.22.060 and to receive voluntary contributions for the purpose of operating and maintaining public use and recreation facilities, including trails, managed by the department.

(2) In addition to the other purposes identified in this section, the park land trust revolving fund may be utilized by the department to hold funding for future acquisition of lands for the community forest trust program from willing sellers under section 4 of this act.

(3)(a) Proceeds from transfers of real property to the state parks and recreation commission or other proceeds identified from transfers of real property as directed by the legislature shall be deposited in ~~(this)~~ the park land trust revolving fund.

(b) The proceeds from real property transferred or disposed under RCW 79.22.060 must be used solely to purchase replacement forest land, that must be actively managed as a working forest, within the same county as the property transferred or disposed.

(c) Disbursement from the park land trust revolving fund to acquire replacement property and for operating and maintaining

public use and recreation facilities shall be on the authorization of the department. ~~((The proceeds from real property transferred or disposed under RCW 79.22.060 must be solely used to purchase replacement forest land, that must be actively managed as a working forest, within the same county as the property transferred or disposed.))~~

(4) In order to maintain an effective expenditure and revenue control, the park land trust revolving fund is subject in all respects to chapter 43.88 RCW, but no appropriation is required to permit expenditures and payment of obligations from the fund.

~~((2))~~ (5) The department is authorized to solicit and receive voluntary contributions for the purpose of operating and maintaining public use and recreation facilities, including trails, managed by the department. The department may seek voluntary contributions from individuals and organizations for this purpose. Voluntary contributions will be deposited into the park land trust revolving fund and used solely for the purpose of public use and recreation facilities operations and maintenance. Voluntary contributions are not considered a fee for use of these facilities.

Sec. 15. RCW 79.64.020 and 2008 c 328 s 6004 are each amended to read as follows:

A resource management cost account in the state treasury is created to be used solely for the purpose of defraying the costs and expenses necessarily incurred by the department in managing and administering state lands, community forest trust lands, and aquatic lands and the making and administering of leases, sales, contracts, licenses, permits, easements, and rights-of-way as authorized under the provisions of this title. Appropriations from the resource management cost account to the department shall be expended for no other purposes. Funds in the resource management cost account may be appropriated or transferred by the legislature for the benefit of all of the trusts from which the funds were derived. ~~((For the 2007-2009 biennium, moneys in the account may be used for the purposes identified in section 3044, chapter 328, Laws of 2008.))~~

Sec. 16. RCW 79.64.040 and 2009 c 564 s 957 are each amended to read as follows:

(1) The board shall determine the amount deemed necessary in order to achieve the purposes of this chapter and shall provide by rule for the deduction of this amount from the moneys received from all leases, sales, contracts, licenses, permits, easements, and rights-of-way issued by the department and affecting state lands, community forest trust lands, and aquatic lands, provided that no deduction shall be made from the proceeds from agricultural college lands.

(2) Moneys received as deposits from successful bidders, advance payments, and security under RCW 79.15.100, 79.15.080, and 79.11.150 prior to December 1, 1981, which have not been subjected to deduction under this section are not subject to deduction under this section.

(3) Except as otherwise provided in subsections ~~((5))~~ (4) and (6) of this section, the deductions authorized under this section shall not exceed twenty-five percent of the moneys received by the department in connection with any one transaction pertaining to state lands and aquatic lands other than second-class tide and shore lands and the beds of navigable waters, and fifty percent of the moneys received by the department pertaining to second-class tide and shore lands and the beds of navigable waters.

(4) Deductions authorized under this section for transactions pertaining to community forest trust lands must be established at a level sufficient to defray over time the management costs for activities prescribed in a parcel's management plan adopted pursuant to section 8 of this act, and, if deemed appropriate by the board consistent with section 9 of this act, to reimburse the state and any local entities' eligible financial contributions for acquisition of the parcel.

(5) In the event that the department sells logs using the contract harvesting process described in RCW 79.15.500 through 79.15.530,

the moneys received subject to this section are the net proceeds from the contract harvesting sale.

((5)) (6) During the 2009-2011 fiscal biennium, the twenty-five percent limitation on deductions set in subsection (3) of this section may be increased up to thirty percent by the board.

Sec. 17. RCW 79.02.010 and 2010 c 126 s 6 are each reenacted and amended to read as follows:

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

(1) "Aquatic lands" means all state-owned tidelands, shorelands, harbor areas, and the beds of navigable waters as defined in RCW 79.105.060 that are administered by the department.

(2) "Board" means the board of natural resources.

(3) "Commissioner" means the commissioner of public lands.

(4) "Community and technical college forest reserve lands" means lands managed under RCW 79.02.420.

(5) "Department" means the department of natural resources.

(6)(a) "Forest biomass" means the by-products of: Current forest management activities; current forest protection treatments prescribed or permitted under chapter 76.04 RCW; or the by-products of forest health treatment prescribed or permitted under chapter 76.06 RCW.

(b) "Forest biomass" does not include wood pieces that have been treated with chemical preservatives such as: Creosote, pentachlorophenol, or copper-chrome-arsenic; wood from existing old growth forests; wood required to be left on-site under chapter 76.09 RCW, the state forest practices act; and implementing rules, and other legal and contractual requirements; or municipal solid waste.

(7) "Improvements" means anything considered a fixture in law placed upon or attached to lands administered by the department that has changed the value of the lands or any changes in the previous condition of the fixtures that changes the value of the lands.

(8) "Land bank lands" means lands acquired under RCW 79.19.020.

(9) "Person" means an individual, partnership, corporation, association, organization, cooperative, public or municipal corporation, or agency of a federal, state, or local governmental unit, however designated.

(10) "Public lands" means lands of the state of Washington administered by the department including but not limited to state lands, state forest lands, and aquatic lands.

(11) "State forest lands" means lands acquired under RCW 79.22.010, 79.22.040, and 79.22.020.

(12) "State lands" includes:

(a) School lands, that is, lands held in trust for the support of the common schools;

(b) University lands, that is, lands held in trust for university purposes;

(c) Agricultural college lands, that is, lands held in trust for the use and support of agricultural colleges;

(d) Scientific school lands, that is, lands held in trust for the establishment and maintenance of a scientific school;

(e) Normal school lands, that is, lands held in trust for state normal schools;

(f) Capitol building lands, that is, lands held in trust for the purpose of erecting public buildings at the state capital for legislative, executive, and judicial purposes;

(g) Institutional lands, that is, lands held in trust for state charitable, educational, penal, and reformatory institutions; and

(h) Land bank, escheat, donations, and all other lands, except aquatic lands, administered by the department that are not devoted to or reserved for a particular use by law.

(13) "Valuable materials" means any product or material on the lands, such as forest products, forage or agricultural crops, stone, gravel, sand, peat, and all other materials of value except: (a) Mineral, coal, petroleum, and gas as provided for under chapter 79.14

RCW; and (b) forest biomass as provided for under chapter 79.150 RCW.

(14) "Community forest trust lands" means those lands acquired and managed under the provisions of chapter 79.--- RCW (the new chapter created in section 19 of this act).

NEW SECTION. Sec. 18. The authorities granted under Title 79 RCW for the management of state lands apply to the community forest trust to the extent consistent with the purposes of this act. The department may develop management procedures deemed necessary by the department to implement this act.

NEW SECTION. Sec. 19. Sections 1 through 12 and 18 of this act constitute a new chapter in Title 79 RCW."

Correct the title.

Representative Orcutt moved the adoption of amendment (249) to amendment (243).

On page 2, line 18 of the amendment, after "trust" strike "and" and insert ","

On page 2, line 19 of the amendment, after "plan" insert ", and to generate revenue for the applicable local school district or districts"

On page 5, line 33 of the amendment, after "government." add "The local advisory committee must include the participation of at least one member of the applicable local school district or districts."

On page 6, line 5 of the amendment, after "conservation" insert ", local education funding,"

On page 8, line 7 of the amendment, after "beneficiaries," insert "local school districts,"

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

Representative Rolfes spoke against the adoption of the amendment to the amendment.

Amendment (249) was not adopted.

Representative Tharinger spoke in favor of the adoption amendment (243).

Representative Chandler spoke against the adoption of amendment (243).

There being no objection, the House deferred action on SUBSTITUTE HOUSE BILL NO. 1421, and the bill held its place on the second reading calendar.

HOUSE BILL NO. 1167, by Representatives Liias, Goodman, Probst, Rolfes, Moscoso, Roberts, Fitzgibbon, Billig, Miloscia and Maxwell

Expanding provisions relating to driving or being in physical control of a motor vehicle while under the influence of alcohol or drugs.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1167 was substituted for House Bill No. 1167 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1167 was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1167.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1167, 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, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, 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, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1167, having received the necessary constitutional majority, was declared passed.

There being no objection, the House resumed consideration of Substitute House Bill No. 1421.

RECONSIDERATION

There being no objection, the House reconsidered the vote by which amendment (249) was not adopted.

An electronic roll call was requested.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (249).

ROLL CALL

The Clerk called the roll on the adoption of amendment (249) and the amendment was not adopted by the following vote: Yeas, 43; Nays, 55; Absent, 0; Excused, 0.

Voting yea: 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, Probst, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh, Warnick, Wilcox and Zeiger.

Voting nay: Representatives Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Reykdal,

Roberts, Rolfes, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege and Mr. Speaker.

Amendment (249) was not adopted.

The Speaker (Representative Orwall presiding) stated the question before the House to be the adoption of amendment (243).

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House on adoption of amendment (243). The result was 58 - YEAS; 40 - NAYS.

Amendment (243) 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 Rolfes and Tharinger spoke in favor of the passage of the bill.

Representatives Smith, Orcutt, Rodne and Hinkle spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1421.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1421, and the bill passed the House by the following vote: Yeas, 55; Nays, 43; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Jacks, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Rolfes, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege 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, Hurst, 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. 1421, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1933, by Representative Finn

Addressing fraud and law enforcement safety for certain license plates. Revised for 1st Substitute: Addressing license plate fraud and law enforcement safety for collector vehicles.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1933 was substituted for House Bill No. 1933 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1933 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 Finn and Armstrong spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1933.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1933, 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, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, 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, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1933, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1922, by Representatives Shea, Taylor and McCune

Requiring certain vehicles to stop at a weigh station for inspection and weight measurement. Revised for 1st Substitute: Requiring certain vehicles to submit to inspection and weight measurement upon entering the state.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1922 was substituted for House Bill No. 1922 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1922 was read the second time.

With the consent of the house, amendments (299) and (300) were withdrawn.

Representative Shea moved the adoption of amendment (329).
0)

On page 1, beginning on line 10, after "patrol" strike all material through "Washington" on page 1, line 11

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

Amendment (329) was adopted.

Representative Shea moved the adoption of amendment (258).
0)

On page 1, line 14, after "yard." insert "Nothing in this subsection shall be construed to authorize a vehicle to bypass an open weigh station or port of entry."

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

Amendment (258) was adopted.

The bill was ordered engrossed.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1922.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1922, 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, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, 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, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1922, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1046, by Representatives Moeller, Condotta and Morris

Concerning vehicle and vessel quick title.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1046 was substituted for House Bill No. 1046 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1046 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, Armstrong, Morris and Condotta spoke in favor of the passage of the bill.

Representative Angel spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1046.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1046, and the bill passed the House by the following vote: Yeas, 58; Nays, 40; Absent, 0; Excused, 0.

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

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

SUBSTITUTE HOUSE BILL NO. 1046, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1473, by Representatives Parker, Hurst, Ormsby and Billig

Concerning the use of existing fees collected for the cost of traffic schools.

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 Parker and Billig spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1473.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1473, 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, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, 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, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

HOUSE BILL NO. 1473, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1483, by Representative Pearson

Authorizing payment plans for traffic infractions. Revised for 1st Substitute: Modifying the form for a notice of traffic infraction.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1483 was substituted for House Bill No. 1483 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1483 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 Pearson and Clibborn spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1483.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1483, 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, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, 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, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1483, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1384, by Representatives Moscoso, Liias, Clibborn, Billig, Ryu, Kenney, Stanford and Reykdal

Concerning public improvement contracts involving certain federally funded transportation projects.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1384 was substituted for House Bill No. 1384 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1384 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 Hargrove spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1384.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1384, 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, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, 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, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1384, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1861, by Representatives Armstrong, Clibborn, Hargrove, Liias, Billig and Schmick

Concerning the sale or lease of surplus state-owned railroad properties.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1861 was substituted for House Bill No. 1861 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1861 was read the second time.

With the consent of the house, amendment (332) 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 Armstrong, Billig and Bailey spoke in favor of the passage of the bill.

Representative Hasegawa spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1861.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1861, 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, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, 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, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, 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: Representative Hasegawa.

SUBSTITUTE HOUSE BILL NO. 1861, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1966, by Representatives Pearson, Haler and Bailey

Clarifying that manure is an agricultural product for the purposes of commercial drivers' licenses. Revised for 1st Substitute: Clarifying that animal manure is an agricultural product for the purposes of commercial drivers' licenses.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1966 was substituted for House Bill No. 1966 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1966 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 Pearson, Liias and Armstrong spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1966.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1966, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, 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, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, 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 Anderson and Hasegawa.

SUBSTITUTE HOUSE BILL NO. 1966, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1967, by Representatives Fitzgibbon, Armstrong, Liias, Nealey, Clibborn, Billig, Frockt and Reykdal

Concerning public transportation systems.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1967 was substituted for House Bill No. 1967 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1967 was read the second time.

Representative Fitzgibbon moved the adoption of amendment (167).
0)

On page 6, line 7, after "management" insert "collaborate with the department of transportation, the Washington state transit association, and state and local agencies with public transportation-related responsibilities to"

Representative Parker moved the adoption of amendment (372) to amendment (167).
0)

On page 1, line 3, after "association," insert "the transportation choices coalition, the association of Washington business, the national federation of independent business,"

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

Representative Liias spoke against the adoption of the amendment to the amendment.

Amendment (372) was not adopted.

Representative Fitzgibbon spoke in favor of the adoption of amendment (167).

Representative Armstrong spoke against the adoption of amendment (167).

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 55 - YEAS; 43 - NAYS.

Amendment (167) was adopted.

Representative Taylor moved the adoption of amendment (371).
0)

On page 7, beginning on line 3, strike all of section 8
Correct the title.

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

Representative Liias spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 44 - YEAS; 54 - NAYS.

Amendment (371) was not 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, Liias and Armstrong spoke in favor of the passage of the bill.

Representatives Rodne, Smith, Shea and Rodne (again) spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1967.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1967, and the bill passed the House by the following vote: Yeas, 64; Nays, 34; Absent, 0; Excused, 0.

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

Voting nay: Representatives Ahern, Alexander, Anderson, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Hope, Klippert, Kretz, Kristiansen, McCune, Orcutt, Overstreet, Parker, Pearson,

Rivers, Rodne, Schmick, Shea, Short, Smith, Taylor, Warnick and Wilcox.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1967, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1897, by Representatives Billig, Johnson, Clibborn, Armstrong, Liias, Takko, Walsh, Blake, Dunshee, Rolfes, Van De Wege, Lytton, Fitzgibbon and Ormsby

Establishing a rural mobility grant program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1897 was substituted for House Bill No. 1897 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1897 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 Billig and Johnson spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1897.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1897, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, 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, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, 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: Representative Anderson.

SUBSTITUTE HOUSE BILL NO. 1897, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1635, by Representatives Upthegrove, Clibborn, Eddy, Armstrong, Liias, Rivers, Angel, Van De Wege, Wilcox, Maxwell, Rolfes, Finn, Sullivan, Dammeier, Orwall, Warnick and Moscoso

Concerning the administration of exams and renewals for drivers' licenses. Revised for 1st Substitute: Concerning the

administration of exams for and issuance and renewal of certain drivers' licenses and identicards.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1635 was substituted for House Bill No. 1635 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1635 was read the second time.

Representative Upthegrove moved the adoption of amendment (350).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. It is the intent of the legislature to utilize the infrastructure and resources of the commercial driver training schools and the school districts' traffic safety education programs by authorizing these entities to provide driver licensing examinations. The legislature intends for the department of licensing to authorize the administration of driver licensing examinations by these entities in order to maintain and reprioritize its staff for the purpose of reducing the wait times at its driver licensing offices.

Further, the legislature recognizes the growing importance of the work performed by department of licensing driver licensing services employees, who play an increasingly vital role in our security by ensuring that applicants are properly issued identification.

Sec. 2. RCW 28A.220.030 and 2000 c 115 s 9 are each amended to read as follows:

(1) The superintendent of public instruction is authorized to establish a section of traffic safety education, and through such section shall: Define a "realistic level of effort" required to provide an effective traffic safety education course, establish a level of driving competency required of each student to successfully complete the course, and ensure that an effective statewide program is implemented and sustained, administer, supervise, and develop the traffic safety education program and shall assist local school districts in the conduct of their traffic safety education programs. The superintendent shall adopt necessary rules and regulations governing the operation and scope of the traffic safety education program; and each school district shall submit a report to the superintendent on the condition of its traffic safety education program: **PROVIDED**, That the superintendent shall monitor the quality of the program and carry out the purposes of this chapter.

(2) The board of directors of any school district maintaining a secondary school which includes any of the grades 10 to 12, inclusive, may establish and maintain a traffic safety education course. If a school district elects to offer a traffic safety education course and has within its boundaries a private accredited secondary school which includes any of the grades 10 to 12, inclusive, at least one class in traffic safety education shall be given at times other than regular school hours if there is sufficient demand therefor.

(3) The board of directors of a school district, or combination of school districts, may contract with any drivers' school licensed under the provisions of chapter 46.82 RCW to teach the laboratory phase of the traffic safety education course. Instructors provided by any such contracting drivers' school must be properly qualified teachers of traffic safety education under the joint qualification requirements adopted by the superintendent of public instruction and the director of licensing.

(4) The superintendent shall establish a required minimum number of hours of continuing traffic safety education for traffic safety education instructors. The superintendent may phase in the requirement over not more than five years.

(5) School districts that offer a traffic safety education program under this chapter may administer the portions of the driver licensing examination that test the applicant's knowledge of traffic laws and ability to safely operate a motor vehicle as authorized under RCW 46.20.120(7). The superintendent shall work with the department of licensing, in consultation with school districts that offer a traffic safety education program, to develop standards and requirements for administering each portion of the driver licensing examination that are comparable to the standards and requirements for driver training schools under section 11 of this act.

(6) Before a school district may provide a portion of the driver licensing examination, the school district must, after consultation with the superintendent, enter into an agreement with the department of licensing that, at a minimum, contains provisions that:

- (a) Allow the department of licensing to conduct random examinations, inspections, and audits without prior notice;
- (b) Allow the department of licensing to conduct on-site inspections at least annually;
- (c) Allow the department of licensing to test, at least annually, a random sample of the drivers approved by the school district for licensure and to cancel any driver's license that may have been issued to any driver selected for testing who refuses to be tested; and
- (d) Reserve to the department of licensing the right to take prompt and appropriate action against a school district that fails to comply with state or federal standards for a driver licensing examination or to comply with any terms of the agreement.

NEW SECTION. Sec. 3. A new section is added to chapter 46.01 RCW to read as follows:

A civil suit or action may not be commenced or prosecuted against the director, the state of Washington, any driver training school licensed by the department, any other government officer or entity, including a school district or an employee of a school district, or against any other person, by reason of any act done or omitted to be done in connection with administering the portions of the driver licensing examination that test the applicant's knowledge of traffic laws and ability to safely operate a motor vehicle. This section does not bar the state of Washington or the director from bringing any action, whether civil or criminal, against any driver training school licensed by the department.

Sec. 4. RCW 46.20.049 and 2005 c 314 s 309 are each amended to read as follows:

There shall be an additional fee for issuing any class of commercial driver's license in addition to the prescribed fee required for the issuance of the original driver's license. The additional fee for each class shall be ~~((thirty))~~ thirty-six dollars for the original commercial driver's license or subsequent renewals. If the commercial driver's license is renewed or extended for a period other than ~~((five))~~ six years, the fee for each class shall be six dollars for each year that the commercial driver's license is renewed or extended. The fee shall be deposited in the highway safety fund.

Sec. 5. RCW 46.20.117 and 2005 c 314 s 305 are each amended to read as follows:

(1) **Issuance.** The department shall issue an identicard, containing a picture, if the applicant:

- (a) Does not hold a valid Washington driver's license;
- (b) Proves his or her identity as required by RCW 46.20.035; and
- (c) Pays the required fee. The fee is ~~((twenty))~~ twenty-four dollars unless an applicant is a recipient of continuing public assistance grants under Title 74 RCW, who is referred in writing by the secretary of social and health services. For those persons the fee must be the actual cost of production of the identicard.

(2) **Design and term.** The identicard must:

- (a) Be distinctly designed so that it will not be confused with the official driver's license; and
- (b) Expire on the ~~((fifth))~~ sixth anniversary of the applicant's birthdate after issuance.

(3) **Renewal.** An application for identicard renewal may be submitted by means of:

- (a) Personal appearance before the department; or
- (b) Mail or electronic commerce, if permitted by rule of the department and if the applicant did not renew his or her identicard by mail or by electronic commerce when it last expired. ~~((However, the department may accept an application for renewal of an identicard submitted by means of mail or electronic commerce only if specific authority and funding is provided for this purpose by June 30, 2004, in the omnibus transportation appropriations act.))~~

An identicard may not be renewed by mail or by electronic commerce unless the renewal issued by the department includes a photograph of the identicard holder.

(4) **Cancellation.** The department may cancel an identicard if the holder of the identicard used the card or allowed others to use the card in violation of RCW 46.20.0921.

(5) From the effective date of this section to July 1, 2020, the department may issue or renew an identicard for a period other than six years, or may extend by mail an identicard that has already been issued, in order to evenly distribute, as nearly as possible, the yearly renewal rate of identicard holders; however, the department may not issue or renew an identicard for a period that exceeds six years. The fee for an identicard issued or renewed for a period other than six years, or that has been extended by mail, is four dollars for each year that the identicard is issued, renewed, or extended. The department may adopt rules as necessary to administer this subsection.

Sec. 6. RCW 46.20.120 and 2005 c 314 s 306 and 2005 c 61 s 2 are each reenacted and amended to read as follows:

An applicant for a new or renewed driver's license must successfully pass a driver licensing examination to qualify for a driver's license. The department ~~((shall give))~~ must ensure that examinations are given at places and times reasonably available to the people of this state. If the department does not administer driver licensing examinations as a routine part of its licensing services within a department region because adequate testing sites are provided by driver training schools or school districts within that region, the department shall, at a minimum, administer driver licensing examinations by appointment to applicants eighteen years of age and older in at least one licensing office within that region.

(1) **Waiver.** The department may waive:

(a) All or any part of the examination of any person applying for the renewal of a driver's license unless the department determines that the applicant is not qualified to hold a driver's license under this title; or

(b) All or any part of the examination involving operating a motor vehicle if the applicant:

- (i) Surrenders a valid driver's license issued by the person's previous home state; or
- (ii) Provides for verification a valid driver's license issued by a foreign driver licensing jurisdiction with which the department has an informal agreement under RCW 46.20.125; and
- (iii) Is otherwise qualified to be licensed.

(2) **Fee.** Each applicant for a new license must pay an examination fee of twenty dollars.

(a) The examination fee is in addition to the fee charged for issuance of the license.

(b) "New license" means a license issued to a driver:

- (i) Who has not been previously licensed in this state; or
- (ii) Whose last previous Washington license has been expired for more than ~~((five))~~ six years.

(3) An application for driver's license renewal may be submitted by means of:

- (a) Personal appearance before the department; or
- (b) Mail or electronic commerce, if permitted by rule of the department and if the applicant did not renew his or her license by mail or by electronic commerce when it last expired. ~~((However, the~~

department may accept an application for renewal of a driver's license submitted by means of mail or electronic commerce only if specific authority and funding is provided for this purpose by June 30, 2004, in the omnibus transportation appropriations act.)

(4) A person whose license expired or will expire while he or she is living outside the state, may:

(a) Apply to the department to extend the validity of his or her license for no more than twelve months. If the person establishes to the department's satisfaction that he or she is unable to return to Washington before the date his or her license expires, the department shall extend the person's license. The department may grant consecutive extensions, but in no event may the cumulative total of extensions exceed twelve months. An extension granted under this section does not change the expiration date of the license for purposes of RCW 46.20.181. The department shall charge a fee of five dollars for each license extension;

(b) Apply to the department to renew his or her license by mail or, if permitted by rule of the department, by electronic commerce even if subsection (3)(b) of this section would not otherwise allow renewal by that means. If the person establishes to the department's satisfaction that he or she is unable to return to Washington within twelve months of the date that his or her license expires, the department shall renew the person's license by mail or, if permitted by rule of the department, by electronic commerce.

(5) If a qualified person submits an application for renewal under subsection (3)(b) or (4)(b) of this section, he or she is not required to pass an examination nor provide an updated photograph. A license renewed by mail or by electronic commerce that does not include a photograph of the licensee must be labeled "not valid for identification purposes."

(6) Driver training schools licensed by the department under chapter 46.82 RCW may administer the portions of the driver licensing examination that test the applicant's knowledge of traffic laws and ability to safely operate a motor vehicle.

(7) School districts that offer a traffic safety education program under chapter 28A.220 RCW may administer the portions of the driver licensing examination that test the applicant's knowledge of traffic laws and ability to safely operate a motor vehicle.

Sec. 7. RCW 46.20.161 and 2000 c 115 s 6 are each amended to read as follows:

The department, upon receipt of a fee of ~~((twenty-five))~~ thirty dollars, unless the driver's license is issued for a period other than ~~((five))~~ six years, in which case the fee shall be five dollars for each year that the license is issued, which includes the fee for the required photograph, shall issue to every qualifying applicant a driver's license. A driver's license issued to a person under the age of eighteen is an intermediate license, subject to the restrictions imposed under RCW 46.20.075, until the person reaches the age of eighteen. The license must include a distinguishing number assigned to the licensee, the name of record, date of birth, Washington residence address, photograph, a brief description of the licensee, and either a facsimile of the signature of the licensee or a space upon which the licensee shall write his or her usual signature with pen and ink immediately upon receipt of the license. No license is valid until it has been so signed by the licensee.

Sec. 8. RCW 46.20.181 and 1999 c 308 s 3 are each amended to read as follows:

(1) Except as provided in subsection (4) of this section, every driver's license expires on the ~~((fifth))~~ sixth anniversary of the licensee's birthdate following the issuance of the license.

(2) A person may renew his or her license on or before the expiration date by submitting an application as prescribed by the department and paying a fee of ~~((twenty-five))~~ thirty dollars. This fee includes the fee for the required photograph. The department may waive five dollars of the renewal fee under this subsection if a person

renews his or her driver's license through the mail or through online services.

(3) A person renewing his or her driver's license more than sixty days after the license has expired shall pay a penalty fee of ten dollars in addition to the renewal fee, unless his or her license expired when:

(a) The person was outside the state and he or she renews the license within sixty days after returning to this state; or

(b) The person was incapacitated and he or she renews the license within sixty days after the termination of the incapacity.

(4) ~~((During the period from July 1, 2000, to July 1, 2006))~~ From the effective date of this section to July 1, 2020, the department may issue or renew a driver's license for a period other than ~~((five))~~ six years, or may extend by mail a license that has already been issued, in order to evenly distribute, as nearly as possible, the yearly renewal rate of licensed drivers; however, the department may not issue or renew a driver's license for a period that exceeds six years. The fee for a driver's license issued or renewed for a period other than ~~((five))~~ six years, or that has been extended by mail, is five dollars for each year that the license is issued, renewed, or extended. The department may adopt any rules as are necessary to carry out this subsection.

Sec. 9. RCW 46.20.505 and 2007 c 97 s 1 are each amended to read as follows:

Every person applying for a special endorsement of a driver's license authorizing such person to drive a two or three-wheeled motorcycle or a motor-driven cycle shall pay a fee of five dollars, which is not refundable. In addition, the endorsement fee for the initial motorcycle endorsement shall not exceed ~~((ten))~~ twelve dollars, and the subsequent renewal endorsement fee shall not exceed ~~((twenty-five))~~ thirty dollars, unless the endorsement is renewed or extended for a period other than ~~((five))~~ six years, in which case the subsequent renewal endorsement fee shall not exceed five dollars for each year that the endorsement is renewed or extended. Fees collected under this section shall be deposited in the motorcycle safety education account of the highway safety fund.

Sec. 10. RCW 46.20.515 and 2003 c 41 s 3 are each amended to read as follows:

(1) The motorcycle endorsement examination must emphasize maneuvers necessary for on-street operation, including emergency braking and turning as may be required to avoid an impending collision.

(2) The examination for a two-wheeled motorcycle endorsement and the examination for a three-wheeled motorcycle endorsement must be separate and distinct examinations emphasizing the skills and maneuvers necessary to operate each type of motorcycle.

(3) The department may authorize an entity that has entered into a contract under RCW 46.20.520 to administer the motorcycle endorsement examination.

(4) The department may waive all or part of the examination for persons who satisfactorily complete the voluntary motorcycle operator training and education program authorized under RCW 46.20.520 or who satisfactorily complete a private motorcycle skills education course that has been certified by the department under RCW 46.81A.020.

NEW SECTION. Sec. 11. A new section is added to chapter 46.82 RCW to read as follows:

(1) Driver training schools may administer the portions of the driver licensing examination that test the applicant's knowledge of traffic laws and ability to safely operate a motor vehicle as authorized under RCW 46.20.120(6).

(2) The director shall adopt rules to regulate the administration of the knowledge and driving portions of the driver licensing examination. The rules must include, but are not limited to, the following provisions:

(a) Limitations or requirements that determine which driver training schools may administer the knowledge portion of the examination;

(b) Limitations or requirements that determine which driver training schools may administer the driving portion of the examination;

(c) Requirements for the content and method of conducting the examinations to ensure consistency with industry practices;

(d) Requirements for recordkeeping;

(e) A requirement that all driver training school employees conducting driver licensing examinations meet the same qualifications and education and training standards as department employees who conduct such examinations, to the extent necessary to conduct the written and driving skills portions of the examinations;

(f) Requirements related to whether a driver training school staff member may provide both driver training instruction and the driver licensing examination to any one student;

(g) Requirements for retesting and expiring examination results;

(h) Limitations on fees that may be charged by driver training schools for administering the knowledge portion of the examination and the driving portion of the examination. The examination fees must be limited to an amount that does not exceed the amount that is sufficient for driver training schools to recover the costs of administering each examination;

(i) Requirements for the department to monitor outcomes for applicants who take a driver licensing examination through a driver training school and to make the outcomes available to the public;

(j) Requirements for annual auditing, which must include the collection of current information regarding insurance, curriculums, instructors' names and licenses, and a selection of random student files to review for accuracy; and

(k) Sanctions for violations of the rules adopted under this section.

(3) Before a driver training school may provide a portion of the driver licensing examination, it must enter into an agreement with the department that, at a minimum, contains provisions that:

(a) Allow the department to conduct random examinations, inspections, and audits without prior notice;

(b) Allow the department to conduct on-site inspections at least annually;

(c) Allow the department to test, at least annually, a random sample of the drivers approved by the driver training school for licensure and to cancel any driver's license that may have been issued to any driver selected for testing who refuses to be tested; and

(d) Reserve to the department the right to take prompt and appropriate action against a driver training school that fails to comply with state or federal standards for a driver licensing examination or to comply with any terms of the agreement.

NEW SECTION. Sec. 12. (1) The driver licensing examination advisory committee is established within the department of licensing.

(2) The purpose of the committee is to facilitate communication in connection with the transition to driver training schools and school districts administering portions of the driver licensing examination and to monitor and evaluate the effectiveness of the transition.

(3) The committee must include the following members:

(a) Two people appointed by the director of the department of licensing to represent the department of licensing;

(b) One person appointed by the office of the superintendent of public instruction;

(c) One person appointed by the director of the department of licensing to represent driver training schools that are licensed by the department of licensing;

(d) One person appointed by a labor union that represents licensing services representatives 3; and

(e) Two people appointed by a labor union that represents licensing services representatives 1 and 2.

(4) Members of the committee may not receive compensation for their services as members of the committee, but may be reimbursed

for travel and other expenses in accordance with RCW 43.03.050 and 43.03.060.

(5) The department of licensing shall provide administrative support to the committee.

(6) The committee shall evaluate the effectiveness of the transition to driver training schools and school districts administering portions of the driver licensing examination. The committee shall submit an initial report on outcomes of the transition and report its recommendations, including whether to continue, modify, or discontinue the transition, to the transportation committees of the legislature by December 1, 2013. The committee shall continue to monitor the effectiveness of the transition after it submits the initial report."

Correct the title.

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

Amendment (350) 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 Upthegrove, Armstrong, Shea and Asay spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1635.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1635, 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, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, 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, Probst, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, 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: Representative Reykdal.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1635, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1700, by Representatives Fitzgibbon, Angel, Appleton, Armstrong, Rolfes, Johnson, Clibborn, Rivers, Reykdal, Ormsby, Upthegrove, Liias, Billig and Moeller

Modifying the requirements related to designing various transportation projects.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1700 was substituted for House Bill No. 1700 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1700 was read the second time.

Representative Taylor moved the adoption of amendment (369).

Beginning on page 1, line 6, strike all of section 1
Renumber the remaining sections consecutively and correct internal references accordingly. Correct the title.

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

Representative Liias spoke against the adoption of the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Orwall presiding) divided the House. The result was 43 - YEAS; 55 - NAYS.

Amendment (369) was not adopted.

Representative Shea moved the adoption of amendment (370).

On page 2, line 21, after "traffic" insert ", so long as the expenditures are allowed under Article II, section 40 of the state Constitution"

On page 2, line 34, after "travel" insert ", so long as the expenditures are allowed under Article II, section 40 of the state Constitution"

On page 3, line 17, after "traffic" insert ", so long as the expenditures are allowed under Article II, section 40 of the state Constitution"

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

Representative Liias 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 43 - YEAS; 55 - NAYS.

Amendment (370) 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 Fitzgibbon, Armstrong 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. 1700.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1700, and the bill passed the House by the following vote: Yeas, 67; Nays, 31; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Armstrong, Asay, Billig, Blake, Carlyle, Clibborn, Cody, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Rolfes, Ross, Ryu, Santos, Seaquist, Sells, Smith, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Walsh, Zeiger and Mr. Speaker.

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

SUBSTITUTE HOUSE BILL NO. 1700, having received the necessary constitutional majority, was declared passed.

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

SUBSTITUTE SENATE BILL NO. 5700, by Senate Committee on Transportation (originally sponsored by Senators Haugen and King)

Concerning certain toll facilities.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Transportation was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 51, March 1, 2011).

Representative Rodne moved the adoption of amendment (210) to the committee amendment.

On page 6, after line 7 of the amendment, insert the following:
"Sec. 8. RCW 47.56.875 and 2010 c 248 s 4 are each amended to read as follows:

A special account to be known as the state route number 520 corridor account is created in the motor vehicle fund in the state treasury.

(1) Deposits to the account must include:

(a) All proceeds of bonds issued for the state route number 520 bridge replacement and HOV program, including any capitalized interest;

(b) Except as provided in RCW 47.56.870(4)(b)(vii), all of the tolls and other revenues received from the operation of the state route number 520 corridor as a toll facility, to be deposited at least monthly;

(c) Any interest that may be earned from the deposit or investment of those revenues;

(d) Notwithstanding RCW 47.12.063, proceeds from the sale of any surplus real property acquired for the state route number 520 bridge replacement and HOV program; and

(e) All damages, liquidated or otherwise, collected under any contract involving the state route number 520 bridge replacement and HOV program.

(2) Subject to the covenants made by the state in the bond proceedings authorizing the issuance and sale of bonds for the state route number 520 bridge replacement and HOV program and article

II, section 40 of the state Constitution, toll charges, other revenues, and interest received from the operation of the state route number 520 corridor as a toll facility may be used to:

(a) Pay any required costs allowed under RCW 47.56.820 and article II, section 40 of the state Constitution; and

(b) Repay amounts to the motor vehicle fund as required.

(3) When repaying the motor vehicle fund, the state treasurer shall transfer funds from the state route number 520 corridor account to the motor vehicle fund on or before each debt service date for bonds issued for the state route number 520 bridge replacement and HOV program in an amount sufficient to repay the motor vehicle fund for amounts transferred from that fund to the highway bond retirement fund to provide for any bond principal and interest due on that date. The state treasurer may establish subaccounts for the purpose of segregating toll charges, bond sale proceeds, and other revenues."

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

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

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

Amendment (210) was not adopted.

The committee amendment was adopted.

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

Representatives Clibborn, Armstrong, Angel 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 Substitute Senate Bill No. 5700, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5700, as amended by the House, and the bill passed the House by the following vote: Yeas, 73; Nays, 25; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Chandler, Clibborn, Cody, Dahlquist, Dammeier, Darneille, DeBolt, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hinkle, Hudgins, Hunt, Hunter, Jacks, Jinkins, Johnson, Kagi, Kenney, Kirby, Kretz, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Nealey, Ormsby, Orwall, Pedersen, Pettigrew, Reykdal, Roberts, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Zeiger and Mr. Speaker.

Voting nay: Representatives Ahern, Anderson, Buys, Carlyle, Condotta, Crouse, Dickerson, Hargrove, Harris, Hasegawa, Hope, Hurst, Kelley, Klippert, Kristiansen, McCune, Orcutt, Overstreet, Parker, Pearson, Probst, Rivers, Rodne, Shea and Wilcox.

SUBSTITUTE SENATE BILL NO. 5700, as amended by the House, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute Senate Bill No. 5700.
Representative Anderson, 5th District

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute Senate Bill No. 5700.
Representative Hope, 44th District

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute Senate Bill No. 5700.
Representative Rodne, 5th District

SECOND READING

HOUSE BILL NO. 1382, by Representatives Clibborn, Maxwell, Liias, Eddy, Hunter and Springer

Concerning the use of express toll lanes in the eastside corridor.

The bill was read the second time.

Representative Rodne moved the adoption of amendment (161).

0)

On page 3, line 17, after "RCW 47.56.820" insert "and article II, section 40 of the state Constitution"

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

Representative Liias spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of amendment (161).

ROLL CALL

The Clerk called the roll on the adoption of amendment (161) and the amendment was not adopted by the following vote: Yeas, 45; Nays, 53; Absent, 0; Excused, 0.

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

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

Amendment (161) was not adopted.

Representative Rodne moved the adoption of amendment (162).

0)

On page 3, line 23, after "(b)" insert "Toll charges may not be assessed on express toll lane users with one or more passengers.

(c)"

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

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

Representative Clibborn spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of amendment (162).

ROLL CALL

The Clerk called the roll on the adoption of amendment (162) and the amendment was not adopted by the following vote: Yeas, 46; Nays, 52; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Hope, Hurst, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, Miloscia, 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, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Jacks, Jinkins, Kagi, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Reykdal, Roberts, Rolfes, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege and Mr. Speaker.

Amendment (162) was not adopted.

Representative Rodne moved the adoption of amendment (163).

0)

On page 4, line 1, after "end" insert ", but not in any current general purpose lane or any lane constructed with funds from the transportation 2003 account or transportation partnership account"

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

Representative Clibborn spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of amendment (163).

ROLL CALL

The Clerk called the roll on the adoption of amendment (163) and the amendment was not adopted by the following vote: Yeas, 46; Nays, 52; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Hope, Hurst, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, Miloscia, 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, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Jacks, Jinkins, Kagi, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Reykdal, Roberts, Rolfes, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege and Mr. Speaker.

Amendment (163) was not adopted.

Representative Clibborn moved the adoption of amendment (79).

0)

On page 5, line 31, after "The" strike "eastside corridor" and insert "Interstate 405"

On page 5, beginning on line 33, after "from" strike "express toll lane users in the eastside corridor" and insert "Interstate 405 express toll lane users"

On page 6, beginning on line 2, after "lanes" strike "in the eastside corridor" and insert "on Interstate 405"

On page 7, line 19, after "the" strike "eastside corridor" and insert "Interstate 405"

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

Amendment (79) was adopted.

Representative Armstrong moved the adoption of amendment (164).

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. It is the intent of the legislature to improve mobility for people and goods by maximizing the effectiveness of the freeway system. The ability of the state to provide an efficient transportation system will be enhanced by a public-private partnership in which private entities undertake the study, planning, design, development, acquisition, installation, construction, or improvement of existing transportation systems. A public-private partnership using toll lanes is one approach for generating funds to improve the Interstate 405 and state route number 167 corridor. The legislature acknowledges that as one of the most congested freeway sections in the state, the Interstate 405 and state route number 167 corridor serves as an ideal candidate for the use of a public-private partnership.

Therefore, it is the intent of the legislature to direct the department of transportation to explore improving the movement of vehicles and people through the use of a public-private partnership on Interstate 405 between the city of Bellevue on the north end and state route number 167 on the south end and to determine the feasibility of financing capacity improvements through tolls.

NEW SECTION. Sec. 2. A new section is added to chapter 47.56 RCW under the subchapter heading "toll facilities created after July 1, 2008" to read as follows:

(1) The department shall conduct a traffic and revenue analysis that would be informative to potential partners in a public-private partnership with the goal of completing planned throughput and

capacity improvements on state route number 167 and Interstate 405. Information included in the analysis must help evaluate the viability of a public-private partnership model for completing improvements to state route number 167 and Interstate 405 that will most effectively improve congestion and provide reliable travel times. The department shall also develop a corridor-wide project management plan to develop a strategy for phasing the completion of improvements in the Interstate 405 and state route number 167 corridor.

(2) The department shall use the information from the traffic and revenue analysis and the corridor-wide project management plan to develop a finance plan to fund improvements in the Interstate 405 and state route number 167 corridor. The department must include the following elements in the finance plan:

(a) Current state and federal funding contributions for projects in the Interstate 405 and state route number 167 corridor;

(b) A potential future state and federal funding contribution to leverage toll revenues;

(c) Financing mechanisms to optimize the revenue available for capacity improvements including, but not limited to, using the full faith and credit of the state; and

(d) Private financing to further state and federal funding contributions.

(3) The department must consult with a committee consisting of local and state elected officials from the Interstate 405 and state route number 167 corridor and representatives from the transit agencies that operate in the Interstate 405 and state route number 167 corridor while developing the traffic and revenue analysis and finance plan.

(4) The department must provide the traffic and revenue analysis plan and finance plan to the governor and the legislature by January 2012.

NEW SECTION. Sec. 3. A new section is added to chapter 46.68 RCW to read as follows:

(1) The Interstate 405 toll lanes account is created in the motor vehicle fund in the state treasury. Money in the account may be spent only after appropriation. Expenditures from the account must be used only for the improvements specified in a public-private partnership agreement for projects on the Interstate 405 corridor.

(2) Deposits to the account must include:

(a) All proceeds of bonds issued for construction of Interstate 405 improvements, including any capitalized interest;

(b) All of the tolls and other revenues received from the operation of Interstate 405 as a toll facility when authorized by the legislature, to be deposited at least monthly;

(c) Any interest that may be earned from the deposit or investment of those revenues;

(d) Notwithstanding RCW 47.12.063, proceeds from the sale of any surplus real property acquired for the Interstate 405 corridor improvement program; and

(e) All damages, liquidated or otherwise, collected under any contract involving the Interstate 405 corridor improvement program.

Sec. 4. RCW 43.84.092 and 2010 1st sp.s. c 30 s 20, 2010 1st sp.s. c 9 s 7, 2010 c 248 s 6, 2010 c 222 s 5, 2010 c 162 s 6, and 2010 c 145 s 11 are each reenacted and amended to read as follows:

(1) All earnings of investments of surplus balances in the state treasury shall be deposited to the treasury income account, which account is hereby established in the state treasury.

(2) The treasury income account shall be utilized to pay or receive funds associated with federal programs as required by the federal cash management improvement act of 1990. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for refunds or allocations of interest earnings required by the cash management improvement act. Refunds of interest to the federal treasury required under the cash management improvement act fall under RCW 43.88.180 and shall not require appropriation. The office of financial management shall

determine the amounts due to or from the federal government pursuant to the cash management improvement act. The office of financial management may direct transfers of funds between accounts as deemed necessary to implement the provisions of the cash management improvement act, and this subsection. Refunds or allocations shall occur prior to the distributions of earnings set forth in subsection (4) of this section.

(3) Except for the provisions of RCW 43.84.160, the treasury income account may be utilized for the payment of purchased banking services on behalf of treasury funds including, but not limited to, depository, safekeeping, and disbursement functions for the state treasury and affected state agencies. The treasury income account is subject in all respects to chapter 43.88 RCW, but no appropriation is required for payments to financial institutions. Payments shall occur prior to distribution of earnings set forth in subsection (4) of this section.

(4) Monthly, the state treasurer shall distribute the earnings credited to the treasury income account. The state treasurer shall credit the general fund with all the earnings credited to the treasury income account except:

(a) The following accounts and funds shall receive their proportionate share of earnings based upon each account's and fund's average daily balance for the period: The aeronautics account, the aircraft search and rescue account, the budget stabilization account, the capitol building construction account, the Cedar River channel construction and operation account, the Central Washington University capital projects account, the charitable, educational, penal and reformatory institutions account, the cleanup settlement account, the Columbia river basin water supply development account, the common school construction fund, the county arterial preservation account, the county criminal justice assistance account, the county sales and use tax equalization account, the deferred compensation administrative account, the deferred compensation principal account, the department of licensing services account, the department of retirement systems expense account, the developmental disabilities community trust account, the drinking water assistance account, the drinking water assistance administrative account, the drinking water assistance repayment account, the Eastern Washington University capital projects account, the education construction fund, the education legacy trust account, the election account, the energy freedom account, the energy recovery act account, the essential rail assistance account, The Evergreen State College capital projects account, the federal forest revolving account, the ferry bond retirement fund, the freight congestion relief account, the freight mobility investment account, the freight mobility multimodal account, the grade crossing protective fund, the public health services account, the health system capacity account, the high capacity transportation account, the state higher education construction account, the higher education construction account, the highway bond retirement fund, the highway infrastructure account, the highway safety account, the high occupancy toll lanes operations account, the hospital safety net assessment fund, the industrial insurance premium refund account, the Interstate 405 toll lanes account, the judges' retirement account, the judicial retirement administrative account, the judicial retirement principal account, the local leasehold excise tax account, the local real estate excise tax account, the local sales and use tax account, the marine resources stewardship trust account, the medical aid account, the mobile home park relocation fund, the motor vehicle fund, the motorcycle safety education account, the multiagency permitting team account, the multimodal transportation account, the municipal criminal justice assistance account, the municipal sales and use tax equalization account, the natural resources deposit account, the oyster reserve land account, the pension funding stabilization account, the perpetual surveillance and maintenance account, the public employees' retirement system plan 1 account, the public employees' retirement system combined plan 2 and plan 3 account, the public

facilities construction loan revolving account beginning July 1, 2004, the public health supplemental account, the public transportation systems account, the public works assistance account, the Puget Sound capital construction account, the Puget Sound ferry operations account, the Puyallup tribal settlement account, the real estate appraiser commission account, the recreational vehicle account, the regional mobility grant program account, the resource management cost account, the rural arterial trust account, the rural Washington loan fund, the site closure account, the small city pavement and sidewalk account, the special category C account, the special wildlife account, the state employees' insurance account, the state employees' insurance reserve account, the state investment board expense account, the state investment board commingled trust fund accounts, the state patrol highway account, the state route number 520 civil penalties account, the state route number 520 corridor account, the supplemental pension account, the Tacoma Narrows toll bridge account, the teachers' retirement system plan 1 account, the teachers' retirement system combined plan 2 and plan 3 account, the tobacco prevention and control account, the tobacco settlement account, the transportation 2003 account (nickel account), the transportation equipment fund, the transportation fund, the transportation improvement account, the transportation improvement board bond retirement account, the transportation infrastructure account, the transportation partnership account, the traumatic brain injury account, the tuition recovery trust fund, the University of Washington bond retirement fund, the University of Washington building account, the urban arterial trust account, the volunteer firefighters' and reserve officers' relief and pension principal fund, the volunteer firefighters' and reserve officers' administrative fund, the Washington judicial retirement system account, the Washington law enforcement officers' and firefighters' system plan 1 retirement account, the Washington law enforcement officers' and firefighters' system plan 2 retirement account, the Washington public safety employees' plan 2 retirement account, the Washington school employees' retirement system combined plan 2 and 3 account, the Washington state health insurance pool account, the Washington state patrol retirement account, the Washington State University building account, the Washington State University bond retirement fund, the water pollution control revolving fund, and the Western Washington University capital projects account. Earnings derived from investing balances of the agricultural permanent fund, the normal school permanent fund, the permanent common school fund, the scientific permanent fund, and the state university permanent fund shall be allocated to their respective beneficiary accounts.

(b) Any state agency that has independent authority over accounts or funds not statutorily required to be held in the state treasury that deposits funds into a fund or account in the state treasury pursuant to an agreement with the office of the state treasurer shall receive its proportionate share of earnings based upon each account's or fund's average daily balance for the period.

(5) In conformance with Article II, section 37 of the state Constitution, no treasury accounts or funds shall be allocated earnings without the specific affirmative directive of this section."

Correct the title.

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

Representative Clibborn spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Moeller presiding) stated the question before the House to be the adoption of amendment (164).

ROLL CALL

The Clerk called the roll on the adoption of amendment (164) and the amendment was not adopted by the following vote: Yeas, 45; Nays, 53; Absent, 0; Excused, 0.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Armstrong, Asay, Bailey, Blake, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Hope, 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.

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

Amendment (164) was not 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 Clibborn spoke in favor of the passage of the bill.

Representatives Armstrong and Rodne spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1382.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1382, 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, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Hudgins, Hunt, Hunter, Jacks, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Lias, Lytton, Maxwell, McCoy, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Reykdal, Roberts, Rolfes, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Anderson, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris, Hasegawa, 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 HOUSE BILL NO. 1382, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1055, by Representatives Hudgins, Green, McCoy, Eddy, Kenney and Reykdal

Regarding the streamlining of contractor appeals.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1055 was substituted for House Bill No. 1055 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1055 was read the second time.

Representative Green moved the adoption of amendment (7).

0)

On page 5, line 19, after "~~wages~~)" strike "individual, or business"

On page 5, beginning on line 20, after "contractor" strike "individual, or business"

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

Amendment (7) was adopted.

The bill was ordered engrossed.

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

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

MOTION

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1055.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1055, 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, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representative Morris.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1055, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5801, by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Kohl-Welles, Holmquist Newbry, Conway and Kline)**Establishing medical provider networks and expanding centers for occupational health and education in the industrial insurance system.**

The bill was read the second time.

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

Representatives Sells, Condotta, Green 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 Substitute Senate Bill No. 5801.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5801, 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, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, 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: Representative Hasegawa.

Excused: Representative Morris.

SUBSTITUTE SENATE BILL NO. 5801, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1676, by Representatives Reykdal, Kenney, Green, McCoy, Ormsby, Hudgins and Hunt**Addressing the abatement of violations of the Washington industrial safety and health act during an appeal.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1676 was substituted for House Bill No. 1676 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1676 was read the second time.

Representative Reykdal moved the adoption of amendment (365).

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 49.17.140 and 1994 c 61 s 1 are each amended to read as follows:

(1) If after an inspection or investigation the director or the director's authorized representative issues a citation under the authority of RCW 49.17.120 or 49.17.130, the department, within a reasonable time after the termination of such inspection or investigation, shall notify the employer by certified mail of the penalty to be assessed under the authority of RCW 49.17.180 and shall state that the employer has fifteen working days within which to notify the director that the employer wishes to appeal the citation or assessment of penalty. If, within fifteen working days from the communication of the notice issued by the director the employer fails to notify the director that the employer intends to appeal the citation or assessment penalty, and no notice is filed by any employee or representative of employees under subsection (3) of this section within such time, the citation and the assessment shall be deemed a final order of the department and not subject to review by any court or agency.

(2) If the director has reason to believe that an employer has failed to correct a violation for which ((a citation has been issued within the period permitted in the citation for its correction, which period shall not begin to run until the entry of a final order in the case of any appeal proceedings under this section initiated by the employer in good faith and not solely for delay or avoidance of penalties)) the employer was previously cited and which has become a final order, the director shall notify the employer by certified mail of such failure to correct the violation and of the penalty to be assessed under RCW 49.17.180 by reason of such failure, and shall state that the employer has fifteen working days from the communication of such notification and assessment of penalty to notify the director that the employer wishes to appeal the director's notification of the assessment of penalty. If, within fifteen working days from the receipt of notification issued by the director the employer fails to notify the director that the employer intends to appeal the notification of assessment of penalty, the notification and assessment of penalty shall be deemed a final order of the department and not subject to review by any court or agency.

(3) If any employer notifies the director that the employer intends to appeal the citation issued under either RCW 49.17.120 or 49.17.130 or notification of the assessment of a penalty issued under subsections (1) or (2) of this section, or if, within fifteen working days from the issuance of a citation under either RCW 49.17.120 or 49.17.130 any employee or representative of employees files a notice with the director alleging that the period of time fixed in the citation for the abatement of the violation is unreasonable, the director may reassume jurisdiction over the entire matter, or any portion thereof upon which notice of intention to appeal has been filed with the director pursuant to this subsection. If the director reassumes jurisdiction of all or any portion of the matter upon which notice of appeal has been filed with the director, any redetermination shall be completed and corrective notices of assessment of penalty, citations, or revised periods of abatement completed within a period of thirty working days. The thirty-working-day redetermination period may be extended up to fifteen additional working days upon agreement of all parties to the appeal. The redetermination shall then become final subject to direct appeal to the board of industrial insurance appeals within fifteen working days of such redetermination with service of notice of appeal upon the director. In the event that the director does not reassume jurisdiction as provided in this subsection, the director shall promptly notify the state board of industrial insurance appeals of all notifications of intention to appeal any such citations, any such notices of assessment of penalty and any employee or representative of employees notice of intention to appeal the period of time fixed for abatement of a violation and in addition certify a full copy of the

record in such appeal matters to the board. The director shall adopt rules of procedure for the reassumption of jurisdiction under this subsection affording employers, employees, and employee representatives notice of the reassumption of jurisdiction by the director, and an opportunity to object or support the reassumption of jurisdiction, either in writing or orally at an informal conference to be held prior to the expiration of the redetermination period. Except as otherwise provided under subsection (4) of this section, a notice of appeal filed under this section shall stay the effectiveness of any citation or notice of the assessment of a penalty pending review by the board of industrial insurance appeals, but such appeal shall not stay the effectiveness of any order of immediate restraint issued by the director under the authority of RCW 49.17.130. The board of industrial insurance appeals shall afford an opportunity for a hearing in the case of each such appellant and the department shall be represented in such hearing by the attorney general and the board shall in addition provide affected employees or authorized representatives of affected employees an opportunity to participate as parties to hearings under this subsection. The board shall thereafter make disposition of the issues in accordance with procedures relative to contested cases appealed to the state board of industrial insurance appeals.

Upon application by an employer showing that a good faith effort to comply with the abatement requirements of a citation has been made and that the abatement has not been completed because of factors beyond the employer's control, the director after affording an opportunity for a hearing shall issue an order affirming or modifying the abatement requirements in such citation.

(4) An appeal of any violation classified and cited as serious, willful, repeated serious violation, or failure to abate a serious violation does not stay abatement dates and requirements except as follows:

(a) An employer may request a stay of abatement for any serious, willful, repeated serious violation, or failure to abate a serious violation in a notice of appeal under subsection (3) of this section;

(b) When the director reassumes jurisdiction of an appeal under subsection (3) of this section, it will include the stay of abatement request. The issued redetermination decision will include a decision on the stay of abatement request. The department shall stay the abatement for any serious, willful, repeated serious violation, or failure to abate a serious violation where the department cannot determine that the preliminary evidence shows a substantial probability of death or serious physical harm to workers. The decision on stay of abatement will be final unless the employer renews the request for a stay of abatement in any direct appeal of the redetermination to the board of industrial insurance appeals under subsection (3) of this section;

(c) The board of industrial insurance appeals shall adopt rules necessary for conducting an expedited review on any stay of abatement requests identified in the employer's notice of appeal, and shall issue a final decision within forty-five working days of the board's notice of filing of appeal. This rule making shall be initiated in 2011;

(d) Affected employees or their representatives must be afforded an opportunity to participate as parties in an expedited review for stay of abatement;

(e) The board shall grant a stay of an abatement for a serious, willful, repeated serious violation, or failure to abate a serious violation where there is good cause for a stay unless based on the preliminary evidence it is more likely than not that a stay would result in death or serious physical harm to a worker;

(f) As long as a motion to stay abatement is pending all abatement requirements will be stayed.

(5) When the board of industrial insurance appeals denies a stay of abatement and abatement is required while the appeal is adjudicated, the abatement process must be the same process as the process required for abatement upon a final order.

(6) The department shall develop rules necessary to implement subsections (4) and (5) of this section. In an application for a stay of abatement, the department will not grant a stay when it can determine that the preliminary evidence shows a substantial probability of death or serious physical harm to workers. The board will not grant a stay where based on the preliminary evidence it is more likely than not that a stay would result in death or serious physical harm to a worker. This rule making shall be initiated in 2011."

Correct the title.

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

Amendment (365) 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 Reykdal and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1676.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1676, 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, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representative Morris.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1676, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1726, by Representatives Sells, Roberts, Ormsby, Reykdal, Kenney, Miloscia, Moeller and Upthegrove

Addressing the recommendations of the vocational rehabilitation subcommittee for workers' compensation.

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1726.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1726, 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, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Lias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, 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: Representative Hasegawa.

Excused: Representative Morris.

HOUSE BILL NO. 1726, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1725, by Representatives Sells, Reykdal, Ormsby, Kenney and Upthegrove

Addressing administrative efficiencies for the workers' compensation program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1725 was substituted for House Bill No. 1725 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1725 was read the second time.

With the consent of the house, amendment (309) was withdrawn.

Representative Sells moved the adoption of amendment (351).
0)

On page 3, at the beginning of line 16, strike "electronically" and insert "by secure electronic means except orders communicating the closure of a claim. Correspondence and notices sent electronically are considered received on the date sent by the department"

On page 3, beginning on line 19, strike all of section 3

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

On page 16, line 6, after "means" insert "except for orders communicating the closure of a claim. Persons who choose to receive correspondence and other legal notices electronically shall be provided information to assist them in ensuring all electronic documents and communications are received"

Correct the title.

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

Amendment (351) was adopted.

Representative Green moved the adoption of amendment (308).

0)

On page 5, after line 8, insert the following:

"**NEW SECTION. Sec. 4.** A new section is added to chapter 51.18 to read as follows:

Payment by an employer for direct primary care services as defined in RCW 48.150.010 does not disqualify: (a) An employer from participating in the retrospective rating plan; (b) a group sponsor from promoting a retrospective rating plan; or (c) a plan administrator from administering a retrospective rating plan."

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

On page 8, after line 24, insert the following:

"**NEW SECTION. Sec. 5.** A new section is added to chapter 51.36 RCW to read as follows:

The director shall adopt rules to assure an injured worker may receive care from a health care provider who furnishes primary care services through a direct agreement in compliance with chapter 48.150 RCW. Any billing rule requiring a provider to bill for services does not apply to a direct practice. However, the department may require a direct practice provider to comply with any other standards required to provide care under this title. The department may adopt rules requiring a direct practice that provides care under this title to provide such information as the department requires to establish rates for state fund employers and any refunds or assessments for employers or groups participating in the retrospective rating plan. The department may also adopt rules regarding direct practice fees to assure that workers are not paying for benefits under this title, other than what is permitted under RCW 51.16.140 and 51.32.073. For purposes of this subsection, "direct practice" shall have the meaning in RCW 48.150.010."

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

Correct the title.

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

Amendment (308) 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 Sells and Condotta spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1725.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1725, 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, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, 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: Representative Hasegawa.

Excused: Representative Morris.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1725, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2002, by Representatives Sells, Ryu, Ormsby and Kenney

Concerning industrial insurance employer wage subsidies and reimbursements for light duty or transitional work.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2002 was substituted for House Bill No. 2002 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2002 was read the second time.

Representative Sells moved the adoption of amendment (382).
0)

On page 2, line 36, after "work" insert "and must be provided to the employer within three business days after the department receives the statement"

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

Amendment (382) 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 Sells spoke in favor of the passage of the bill.

Representative Condotta 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. 2002.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2002, and the bill passed the House by the following vote: Yeas, 54; Nays, 43; Absent, 0; Excused, 1.

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

Voting nay: Representatives Ahern, Alexander, Anderson, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris, Hasegawa, 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.

Excused: Representative Morris.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2002, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1487, by Representatives Springer and Condotta

Providing additional claims management authority for retrospective rating plan employers and groups. Revised for 1st Substitute: Concerning claims management by retrospective rating plan employers and groups.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1487 was substituted for House Bill No. 1487 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1487 was read the second time.

With the consent of the house, amendment (327) was withdrawn.

Representative Springer moved the adoption of amendment (383).

0)

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 51.18 RCW to read as follows:

(1) In addition to those general powers and rights deemed appropriate by the department, retrospective rating plan employers and groups who administer their plans with an approved claims administrator shall have the authority to assist the department in the processing of claims when approved by the department. However, the department retains the final authority over decisions with respect to any individual claim. Under this authority, retrospective rating plan employers and groups may do any or all of the following:

(a) Schedule medical examinations and consultations, using only qualified persons from the department's approved examiner list. No more than two independent medical examinations for each claim may be scheduled by the claims administrator within any twenty-four month period. An independent medical examination may be scheduled when the claim file includes medical reports indicating that an examination may be necessary for any of the following reasons: Establishing a diagnosis, outlining a program of treatment, evaluating

what, if any, conditions are related to the claimed industrial injury or occupational disease, determining whether an industrial injury or occupational disease has aggravated a preexisting condition, establishing an impairment rating when the claim file medical reports indicate that the worker's claim-related condition is at maximum medical improvement, evaluating whether the industrial injury or occupational disease has worsened, or evaluating the worker's mental or physical restrictions as well as the worker's ability to work. The results of any independent medical examination scheduled under this subsection must be sent by the examiner or independent medical examination panel directly to the department for the claimant's claim file. The department shall enforce penalties under RCW 51.32.110 for refusals to submit to medical examinations scheduled by retrospective rating plan employers or groups or obstruction of the same.

(b) Schedule vocational assessments using only qualified providers from a qualified provider list developed by the department. Providers may be selected based on department quality or performance indicators and based on industry experience. Any vocational assessment resulting from a referral under this section must be sent by the vocational rehabilitation counselor directly to the department for the claimant's claim file.

(c) Close claims as provided by this subsection. Closure of claims shall be conducted under the standards and procedures as provided in this title, except as provided in this section. If a claim with date of injury or manifestation of occupational disease on or after January 1, 2012: (i) Involves only medical treatment and/or the payment of temporary disability compensation under RCW 51.32.090 for a period of thirty days or less; (ii) at the time medical treatment is concluded, does not involve permanent disability; (iii) is one with respect to which the department has not intervened under subsection (2) of this section; and (iv) concerns an injured worker who has returned to work with the retrospective rating plan employer or employer within the group at the worker's previous job or at a job that has at least ninety-five percent of at-injury wages as calculated under RCW 51.08.178, the claim may be closed by the retrospective rating plan employer or group, subject to reporting of claims to the department in a manner prescribed by department rules adopted under chapter 34.05 RCW. No later than at the time of closure for such claims, the retrospective rating plan employer or group shall issue and send to the department and the worker a written order and forward to the worker a notification developed by the department describing in nontechnical language the worker's rights under this title.

(2) If a dispute arises from the handling of any claim under this section, the injured worker, or retrospective rating plan employer or group, may request the department to intervene. When exercising any authority under subsection (1) of this section, a retrospective rating plan employer or group must inform a worker in writing that the worker may request the department to intervene at any time.

(3) The department shall require the retrospective rating plan employer or group to notify the department prior to exercising any authority authorized by this section. Rules adopted under this section must minimize the department's need to respond and ensure that any delay in response by the department does not impede the timely administration of the claim. Charges incurred by the retrospective rating plan employer or group for independent medical examinations or vocational rehabilitation assessments shall be charged against the claim.

(4) For the purposes of this section, "approved claims administrator" means a person who meets department qualifications to manage industrial insurance claims for retrospective rating plan employers and groups. Any claims managers employed by the approved claims administrator to manage retrospective rating plan claims must pass a certification

test approved by the department as established in rule. The department may audit or review the claims management process of a retrospective rating plan employer or group that has received authority to assist the department with the processing of claims. The director shall take corrective action, subject to appeal to the board of industrial insurance appeals, against a retrospective rating plan employer or group, if the director determines that a claims manager under its direction is not following proper industrial insurance claims procedures. Corrective actions taken by the director may include:

- (a) Probationary period of time for the claims manager;
- (b) Additional mandatory training for claims management personnel; and
- (c) Monitoring of the activities of the employer or group to determine progress towards compliance.

The director shall adopt rules defining the corrective actions which may be taken in response to a given condition. If the director determines that compliance has been attained, no further action shall be taken. If compliance has not been attained, the director may take additional corrective action including the removal of the additional authority to assist the department in the processing of claims under this section. The withdrawal of approval revokes the ability of the approved claims administrator to exercise authority under this section, but does not otherwise affect the administrator's status or the retrospective rating plan employer or group's status in the retrospective rating program.

(5) The department may adopt rules to implement this section.

NEW SECTION. Sec. 2. A new section is added to chapter 51.18 RCW to read as follows:

Payment by an employer for direct primary care services as defined in RCW 48.150.010 does not disqualify: (1) An employer from participating in the retrospective rating plan; (2) a group sponsor from promoting a retrospective rating plan; or (3) a plan administrator from administering a retrospective rating plan. The department may adopt rules requiring a direct practice to provide such information as the department requires to establish refunds or assessments for employers or groups under this chapter. Any billing rule requiring a provider to bill for services does not apply to a direct practice. For purposes of this section, "direct practice" shall have the meaning in RCW 48.150.010.

NEW SECTION. Sec. 3. A new section is added to chapter 51.18 to read as follows:

- (1) When a retrospective rating plan employer or group or its representative communicates with a medical provider, the employer must provide to the worker and send to the claim file a copy of any written communication received and a memorandum describing any oral communication. The copy of the written communication and memorandum describing an oral communication must be provided within seventy-two hours of receiving the information.
- (2) The information required to be provided under subsection (1) of this section must be provided regardless of the source of the information and any claim of privilege or work product.
- (3) The employer must send the information required to be provided under subsection (1) of this section to the claim file electronically. If the worker chooses, the information must be sent to the worker electronically.

NEW SECTION. Sec. 4. A new section is added to chapter 51.18 RCW to read as follows:

A retrospective rating plan employer or group must maintain complete records of all claims administered under this chapter. The records may be maintained by service companies or at an out of state location under conditions and procedures established by the director. The retrospective rating plan employer or group must make the records available for inspection upon request by the department, worker or beneficiary, or their representative within

five business days of the request at a location within the state requested by the department, worker or beneficiary, or representative. The expense of producing the records must be borne by the retrospective rating plan employer or group.

NEW SECTION. Sec. 5. The joint legislative audit and review committee shall conduct a study of the impact of section 1 of this act on the state's workers' compensation system, including the impact on the retrospective rating plan performance and refunds, the department's processes, and worker outcomes and satisfaction. The joint legislative audit and review committee shall submit the study to the appropriate committees of the legislature by July 1, 2015.

NEW SECTION. Sec. 6. Sections 1 and 4 of this act expire July 1, 2016."

Correct the title.

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

Amendment (383) 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 Springer and Condotta spoke in favor of the passage of the bill.

Representatives Miloscia, McCoy and Ormsby 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. 1487.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1487, and the bill passed the House by the following vote: Yeas, 70; Nays, 27; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Armstrong, Asay, Bailey, Blake, Buys, Carlyle, Chandler, Clibborn, Condotta, Crouse, Dahlquist, Dammeier, DeBolt, Dickerson, Eddy, Fagan, Finn, Green, Haigh, Haler, Hargrove, Harris, Hinkle, Hope, Hudgins, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Klippert, Kretz, Kristiansen, Maxwell, McCune, Moeller, Nealey, Orcutt, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Rivers, Roberts, Rodne, Ross, Schmick, Seaquist, Shea, Short, Smith, Springer, Sullivan, Takko, Taylor, Tharinger, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Billig, Cody, Darneille, Dunshee, Fitzgibbon, Frockt, Goodman, Hasegawa, Hunt, Jinkins, Kenney, Kirby, Ladenburg, Liias, Lytton, McCoy, Miloscia, Moscoso, Ormsby, Reykdal, Rolfes, Ryu, Santos, Sells, Stanford and Uptegrove.

Excused: Representative Morris.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1487, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 5, 2011

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL 5020
 ENGROSSED SUBSTITUTE SENATE BILL 5039
 ENGROSSED SUBSTITUTE SENATE BILL 5068
 SUBSTITUTE SENATE BILL 5239
 ENGROSSED SENATE BILL 5242
 SUBSTITUTE SENATE BILL 5352
 SECOND SUBSTITUTE SENATE BILL 5595
 ENGROSSED SUBSTITUTE SENATE BILL 5656
 ENGROSSED SUBSTITUTE SENATE BILL 5740
 SENATE BILL 5819
 SUBSTITUTE SENATE BILL 5834

and the same are herewith transmitted.

Thomas Hoemann, Secretary

SECOND READING**HOUSE BILL NO. 1716, by Representatives Asay, Hurst, Klippert, Pearson and Miloscia****Regulating secondhand dealers who deal with precious metal property.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1716 was substituted for House Bill No. 1716 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1716 was read the second time.

Representative Asay moved the adoption of amendment (224).

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds:

(1) The market price of gold has increased significantly in recent years and there has been a proliferation of secondhand dealers, including temporary, transient secondhand businesses, engaging in "cash for gold" type precious metal transactions. Frequently, these "cash for gold" type operations are operated by persons desiring to exploit unsuspecting consumers based on current market conditions;

(2) The increasing number of "cash for gold" type transactions in communities and neighborhoods throughout Washington has been linked to increased crimes involving the theft of gold and other precious metal objects, including home burglaries, robberies, and other crimes, resulting in depressed home values and other threats to the health, safety, and welfare of Washington state residents; and

(3) With the growing number of precious metal transactions, there is a corresponding significant increase in the number of "cash for gold" type storefront businesses, including temporary, transient secondhand businesses, in Washington state which may not be consistent with the quality of life and personal security sought by communities and neighborhoods and the state as a whole.

Therefore, to better protect legitimate owners, consumers, and secondhand dealers, the legislature intends to establish and implement stricter standards relating to transactions involving property consisting of gold and other precious metals.

Sec. 2. RCW 19.60.010 and 1995 c 133 s 1 are each amended to read as follows:

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

(1) "Melted metals" means metals derived from metal junk or precious metals that have been reduced to a melted state from other than ore or ingots which are produced from ore that has not previously been processed.

(2) "Metal junk" means any metal that has previously been milled, shaped, stamped, or forged and that is no longer useful in its original form, except precious metals.

(3) "Nonmetal junk" means any nonmetal, commonly discarded item that is worn out, or has outlasted its usefulness as intended in its original form except nonmetal junk does not include an item made in a former period which has enhanced value because of its age.

(4) "Pawnbroker" means every person engaged, in whole or in part, in the business of loaning money on the security of pledges of personal property, or deposits or conditional sales of personal property, or the purchase or sale of personal property.

(5) "Precious metals" means gold, silver, and platinum.

(6) "Secondhand dealer" means every person engaged in whole or in part in the business of purchasing, selling, trading, consignment selling, or otherwise transferring for value, secondhand property including metal junk, melted metals, precious metals, whether or not the person maintains a fixed place of business within the state. Secondhand dealer also includes persons or entities conducting business, more than three times per year, at flea markets or swap meets (~~(, more than three times per year)~~).

(7) "Secondhand precious metal dealer" means any person or entity engaged in whole or in part in the commercial activity or business of purchasing, selling, trading, consignment selling, or otherwise transferring for value, more than three times per year, secondhand property that is a precious metal, whether or not the person or entity maintains a permanent or fixed place of business within the state, or engages in the business at flea markets or swap meets. Secondhand property, for purposes of transactions by a secondhand precious metal dealer, does not include: (a) Gold, silver, and platinum coins or other precious metal coins that are legal tender or precious metal coins that have numismatic or precious metal value or (b) gold, silver, platinum, or other precious metal bullions.

(8) "Secondhand property" means any item of personal property offered for sale which is not new, including metals in any form, except postage stamps, coins that are legal tender, bullion in the form of fabricated hallmarked bars, used books, and clothing of a resale value of seventy-five dollars or less, except furs.

~~((§))~~ (9) "Transaction" means a pledge, or the purchase of, or consignment of, or the trade of any item of personal property by a pawnbroker or a secondhand dealer from a member of the general public.

~~((§))~~ (10) "Loan period" means the period of time from the date the loan is made until the date the loan is paid off, the loan is in default, or the loan is refinanced and new loan documents are issued, including all grace or extension periods.

NEW SECTION. Sec. 3. (1) For any transaction involving property consisting of a precious metal bought or received from an individual, every secondhand precious metal dealer doing business in this state shall maintain wherever that business is conducted a record in which shall be legibly written in the English language, at the time of each transaction, the following information:

(a) The signature of the person with whom the transaction is made;

(b) The time and date of the transaction;

(c) The name of the person or employee or the identification number of the person or employee conducting the transaction;

(d) The name, date of birth, sex, height, weight, race, and residential address and telephone number of the person with whom the transaction is made;

(e) A complete description of the precious metal property pledged, bought, or consigned, including the brand name, serial

number, model number or name, any initials or engraving, size, pattern, and color of stone or stones;

(f) The price paid;

(g) The type and identifying number of identification used by the person with whom the transaction was made, which shall consist of a valid driver's license or identification card issued by any state or two pieces of identification issued by a governmental agency, one of which shall be descriptive of the person identified, and a full copy of both sides of each piece of identification used by the person with whom the transaction was made. At all times, one piece of current government issued picture identification will be required; and

(h) The nature of the transaction, a number identifying the transaction, the store identification as designated by the applicable law enforcement agency, or the name and address of the business or location, including the street address, and room number if appropriate, and the name of the person or employee conducting the transaction, and the location of the property.

(2) The records required in subsection (1) of this section shall at all times during the ordinary hours of business, or at reasonable times if ordinary hours of business are not kept, be open to the inspection by any commissioned law enforcement officer of the state or any of its political subdivisions, and shall be maintained wherever that business is conducted for three years following the date of the transaction.

NEW SECTION. Sec. 4. (1) Property consisting of a precious metal bought or received from an individual on consignment by any secondhand precious metal dealer with a permanent place of business in the state may not be removed from that place of business except consigned property returned to the owner, for a total of thirty days after the receipt of the property. Property shall at all times during the ordinary hours of business be open to inspection to any commissioned law enforcement officer of the state or any of its political subdivisions.

(2) Property consisting of a precious metal bought or received from an individual on consignment by any secondhand precious metal dealer without a permanent place of business in the state must be stored and held within the city or county in which the property was received, except consigned property returned to the owner, for a total of thirty days after receipt of the property. The property shall be available within the appropriate jurisdiction for inspection at reasonable times by any commissioned law enforcement officer of the state or any of its political subdivisions.

(3) Subsections (1) and (2) of this section do not apply when the property consisting of a precious metal was bought or received from a pawn shop, jeweler, secondhand dealer, or secondhand precious metal dealer who must provide a signed declaration showing the property is not stolen. The declaration may be included as part of the transactional record required under this subsection, or on a receipt for the transaction. The declaration must state substantially the following: "I, the undersigned, affirm under penalty of law that the property that is subject to this transaction is not to the best of my knowledge stolen property."

NEW SECTION. Sec. 5. If the applicable chief of police or the county's chief law enforcement officer has compiled and published a list of persons who have been convicted of any crime involving theft, then a secondhand precious metal dealer shall utilize such a list for any transaction involving property other than property consisting of a precious metal as required by the applicable chief of police or the county's chief law enforcement officer.

NEW SECTION. Sec. 6. No secondhand precious metal dealer doing business in this state may operate a business without first obtaining a business license from the local government in which the business is situated.

NEW SECTION. Sec. 7. (1) It is a gross misdemeanor for:

(a) A secondhand precious metal dealer to knowingly make, cause, or allow to be made any false entry or misstatement of any material matter in any book, record, or writing required to be kept

under sections 3 through 6 and 9 of this act involving property consisting of precious metal;

(b) A secondhand precious metal dealer to receive any precious metal property from any person known to the secondhand precious metal dealer as having been convicted of burglary, robbery, theft, or possession of or receiving stolen property within the past ten years whether the person is acting in his or her own behalf or as the agent of another; or

(c) A secondhand precious metal dealer to knowingly violate any other provision relating to precious metals under sections 3 through 6 and 9 of this act.

(2) It is a class C felony for a secondhand precious metal dealer to commit a second or subsequent violation of subsection (1) of this section involving property consisting of a precious metal.

Sec. 8. RCW 19.60.085 and 2000 c 171 s 56 are each amended to read as follows:

The provisions of this chapter do not apply to transactions conducted by the following:

(1) Motor vehicle dealers licensed under chapter 46.70 RCW;

(2) Vehicle wreckers (~~(or)~~), hulk haulers, and scrap processors licensed under chapter 46.79 or 46.80 RCW;

(3) Persons giving an allowance for the trade-in or exchange of secondhand property on the purchase of other merchandise of the same kind of greater value; and

(4) Persons in the business of buying or selling empty food and beverage containers or metal or nonmetal junk, in compliance with chapter 19.290 RCW.

NEW SECTION. Sec. 9. (1) For purposes of this section, "hosted home party" means a gathering of persons at a private residence where a host or hostess has invited friends or other guests into his or her residence where individual person-to-person sales of precious metals occur.

(2) A host or hostess must be the owner, renter, or lessee of the private residence where the hosted home party takes place.

(3) A secondhand precious metal dealer who attends a hosted home party and purchases or sells precious metals from the invited guests must issue a receipt for each item sold or purchased at the hosted home party.

(4) The secondhand precious metal dealer must include on every receipt the following: (a) The name, residential address, telephone number, and driver's license number of the person hosting the home party; (b) The name, residential address, telephone number, and driver's license number of the person selling the item; (c) the name, residential address, telephone number, and driver's license number of the person purchasing the item; (d) a complete description of the item being sold, including the brand name, serial number, model number or name, any initials or engraving, size, pattern, and color of stone or stones; (e) time and date of the transaction; and (f) the amount and form of any consideration paid for the item.

(5) The secondhand precious metal dealer must make four copies of each transaction receipt: One for the seller, one for the host or hostess, one for the purchaser, and one for local authorities, if they should ask. The secondhand precious metal dealer and the host shall maintain copies of all transaction receipts and records for three years following the date of the precious metal transaction.

(6) A secondhand precious metal dealer of a hosted home party who purchases precious metals at a hosted home party and complies with this section is otherwise exempt from sections 3, 4, and 5 of this act.

NEW SECTION. Sec. 10. Sections 3 through 7 and 9 of this act are each added to chapter 19.60 RCW."

Correct the title.

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

Amendment (224) 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 Asay, Hurst and Miloscia spoke in favor of the passage of the bill.

MOTION

On motion of Representative Hinkle, Representative Crouse was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1716.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1716, and the bill passed the House by the following vote: Yeas, 85; Nays, 12; Absent, 0; Excused, 1.

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

Voting nay: Representatives Buys, Condotta, Crouse, Hargrove, Hinkle, Kristiansen, Lias, Overstreet, Parker, Shea, Short and Taylor.

Excused: Representative Wilcox.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1716, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Shea congratulated Representative Asay on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

SECOND READING

HOUSE BILL NO. 1793, by Representatives Darneille, Roberts and Kagi

Restricting access to juvenile records.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1793 was substituted for House Bill No. 1793 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1793 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 Darneille 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. 1793.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1793, and the bill passed the House by the following vote: Yeas, 56; Nays, 41; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Hasegawa, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Kelley, Kenney, Kirby, Ladenburg, Lias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Rolfes, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege 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, Johnson, Kagi, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh, Warnick and Zeiger.

Excused: Representative Wilcox.

SUBSTITUTE HOUSE BILL NO. 1793, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1042, by Representatives Seaquist, Walsh, Kirby, Appleton, Miloscia, Blake and Goodman

Providing a property tax exemption for property held under lease, sublease, or lease-purchase by a nonprofit organization that provides job training, placement, or preemployment services.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1042 was substituted for House Bill No. 1042 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1042 was read the second time.

With the consent of the house, amendment (269) was withdrawn.

Representative Hasegawa moved the adoption of amendment (333).

On page 2, line 34, after "property," insert "A nonprofit organization benefiting from an exemption under this subsection

(1)(d) must file one complete annual survey with the department under RCW 82.32.585 by April 30, 2014. The annual survey must include information on the demographic tracking of: Job training, placement, and preemployment outreach and recruiting efforts. The annual survey must also include information on success and failure rates by race, ethnicity, socioeconomic status, in-state residency, and residency within a community empowerment zone.

On page 4, line 22, after "2012" strike "and thereafter" and insert "through 2016"

On page 4, after line 22, insert the following:

"NEW SECTION. Sec. 3. This act expires December 31, 2016."
Correct the title.

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

Representatives Walsh and Seaquist spoke against the adoption of the amendment.

Amendment (333) 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 Seaquist, Orcutt 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 Substitute House Bill No. 1042.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1042, and the bill passed the House by the following vote: Yeas, 90; Nays, 7; Absent, 0; Excused, 1.

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

Voting nay: Representatives Anderson, Billig, Hudgins, Liias, Reykdal, Springer and Tharinger.

Excused: Representative Wilcox.

SUBSTITUTE HOUSE BILL NO. 1042, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1253, by Representatives Fitzgibbon, Rivers, Pedersen and Rodne

Revising the uniform interstate family support act.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1253 was substituted for House Bill No. 1253 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1253 was read the second time.

Representative Shea moved the adoption of amendment (28).

On page 37, after line 19, insert the following:

"NEW SECTION. Sec. 64. A new section is added to chapter 26.18 RCW to read as follows:

For the purposes of enforcing child support orders from foreign countries under chapter 26.21A RCW, it is presumed that support orders issued by tribunals of the following countries are manifestly incompatible with public policy in this state: Albania, China, Ecuador, Jordan, Malaysia, Morocco, Sri Lanka, Uruguay, Venezuela, Algeria, El Salvador, Guatemala, Iran, Viet Nam, and North Korea."

Correct the title.

Representatives Shea, Klippert and Shea (again) spoke in favor of the adoption of the amendment.

Representatives Pedersen and Haigh spoke against the adoption of the amendment.

Amendment (28) 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 Fitzgibbon 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. 1253.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1253, and the bill passed the House by the following vote: Yeas, 65; Nays, 32; Absent, 0; Excused, 1.

Voting yea: Representatives Anderson, Angel, Appleton, Asay, Bailey, Billig, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dammeier, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Rodne, Rolfes, Ryu, Santos, Seaquist, Sells, Smith, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Zeiger and Mr. Speaker.

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

Excused: Representative Wilcox.

SUBSTITUTE HOUSE BILL NO. 1253, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1854, by Representatives Upthegrove, Rolfes, Finn, Hunt, Hope, Fitzgibbon, Stanford, Kenney and Ormsby

Concerning the annexation of territory by regional fire protection service authorities.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1854 was substituted for House Bill No. 1854 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1854 was read the second time.

Representative Orcutt moved the adoption of amendment (232).

On page 4, line 13, after "annexation." insert "The plan amendment must include the revenue sources the authority is authorized to impose pursuant to RCW 52.26.050 and provide that those revenue sources apply to an annexed fire protection jurisdiction.

(4)"

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

On page 4, at the beginning of line 17, strike all material through "(b)" on line 21 and insert the following:

"(5) If the plan amendment authorizes the authority to impose benefit charges or sixty percent voter approved taxes, the plan amendment and annexation must be approved by an affirmative vote of sixty percent of the voters within the boundaries of the fire protection jurisdiction seeking annexation. However, if the plan amendment provides for alternative sources of revenue that become effective if the plan amendment and annexation is approved only by a majority vote, then the plan amendment with alternative sources of revenue and annexation may be approved by an affirmative vote of the majority of those voters. If the plan amendment does not authorize the authority to impose benefit charges or sixty percent voter approved taxes, the plan amendment and annexation must be approved by an affirmative vote of the majority of the voters within the boundaries of the fire protection jurisdiction seeking annexation. Revenues from these taxes and benefit charges may be used only to implement the plan as set forth in this chapter.

(6)"

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

Representative Hunter spoke against the adoption of the amendment.

Amendment (232) 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 Upthegrove, Angel 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 Substitute House Bill No. 1854.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1854, and the bill passed the House by the following vote: Yeas, 88; Nays, 9; Absent, 0; Excused, 1.

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

Voting nay: Representatives Ahern, Condotta, DeBolt, Kretz, Parker, Ross, Shea, Short and Taylor.

Excused: Representative Wilcox.

SUBSTITUTE HOUSE BILL NO. 1854, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute House Bill No. 1854.

Representative Overstreet, 42nd District

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1854.

Representative Parker, 6th District

STATEMENT FOR THE JOURNAL

I intended to vote NAY on Substitute House Bill No. 1854.

Representative Johnson, 14th District

SECOND READING

HOUSE BILL NO. 1224, by Representatives Green, Dammeier, Cody, Appleton, Darneille, Harris and Roberts

Providing a business and occupation tax deduction for amounts related to the provision of mental health services. Revised for 1st Substitute: Concerning a business and occupation tax deduction for amounts received with respect to mental health services.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1224 was substituted for House Bill No. 1224 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1224 was read the second time.

Representative Hunter moved the adoption of amendment (305).

On page 1, beginning on line 12, after "(2)" strike all the material through "(3)" on line 16

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

On page 4, line 13, after "organization" strike "or a regional support network"

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

Amendment (305) 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 Green 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 Engrossed Substitute House Bill No. 1224.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1224, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Representatives Ahern, Alexander, Angel, Appleton, Armstrong, Asay, Bailey, Blake, Buys, Carlyle, 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, Jacks, Jinkins, 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, Probst, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Walsh, Warnick, Zeiger and Mr. Speaker.

Voting nay: Representatives Anderson, Billig, Frockt, Reykdal and Tharinger.

Excused: Representative Wilcox.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1224, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1409, by Representatives Appleton, Hurst and McCoy

Authorizing the sale, exchange, transfer, or lease of public property.

The bill was read the second time.

Representative Taylor moved the adoption of amendment (48).

On page 1, line 13, after "concerned." insert "The terms and conditions for any sale, transfer, exchange, lease, or disposal of real property to a federally recognized Indian tribe must retain any existing lease agreements, easements, and public access provisions in place at the time of the transaction."

Representatives Taylor and Hunt spoke in favor of the adoption of the amendment.

Amendment (48) 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 Appleton 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 House Bill No. 1409.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1409, and the bill passed the House by the following vote: Yeas, 63; Nays, 34; Absent, 0; Excused, 1.

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

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

Excused: Representative Wilcox.

ENGROSSED HOUSE BILL NO. 1409, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1902, by Representatives Kagi, Goodman and Stanford

Modifying the business and occupation tax deduction for organizations providing child welfare services. Revised for 1st Substitute: Concerning a business and occupation tax deduction for amounts received with respect to child welfare services.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1902 was substituted for House Bill No. 1902 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1902 was read the second time.

Representative Hunter moved the adoption of amendment (304).

On page 1, beginning on line 10, strike all of subsection (2)
Renumber the remaining subsection consecutively and correct any internal references accordingly.

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

Amendment (304) 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 Kagi, Dammeier and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1902.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1902, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

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

Voting nay: Representatives Anderson and Reykdal.

Excused: Representative Wilcox.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1902, having received the necessary constitutional majority, was declared passed.

There being no objection, House Rule 13 (C) was suspended allowing the House to work past 10:00 p.m.

SECOND READING

HOUSE BILL NO. 1860, by Representative Hurst

Regarding partisan elections.

The bill was read the second time.

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

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

With the consent of the house, amendment (337) was withdrawn.

Representative Shea moved the adoption of amendment (374).

On page 7, line 32, after "use" strike "only"

On page 7, line 33, after "of" insert "at least fifty percent"

On page 10, line 7, after "candidate" strike "has" and insert "or no candidates have"

On page 10, beginning on line 8, strike all of subsection (6)

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

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

Representative Hunt spoke against the adoption of the amendment.

Amendment (374) 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 Hurst spoke in favor of the passage of the bill.

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

MOTION

On motion of Representative Hinkle, Representative Rodne was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1860.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1860, and the bill passed the House by the following vote: Yeas, 53; Nays, 44; Absent, 0; Excused, 1.

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

Voting nay: Representatives Ahern, Alexander, Anderson, Angel, Armstrong, Asay, Bailey, Buys, Chandler, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Fagan, Hargrove, Harris, Hasegawa, Hinkle, Hope, Jinkins, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet,

Parker, Pearson, Rivers, Roberts, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative Rodne.

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

HOUSE BILL NO. 1998, by Representatives Bailey and Seaquist

Addressing actuarial services for the state's public employee retirement systems.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1998 was substituted for House Bill No. 1998 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1998 was read the second time.

With the consent of the house, amendments (366), (367) and (368) were withdrawn.

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 Seaquist 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. 1998.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1998, 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, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, 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, Probst, Reykdal, Rivers, Roberts, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representative Rodne.

SUBSTITUTE HOUSE BILL NO. 1998, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1135, by Representatives Finn, Armstrong and Upthegrove

Regarding refrigerants for motor vehicles.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1135 was substituted for House Bill No. 1135 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1135 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 Finn and Short 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. 1135.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1135, and the bill passed the House by the following vote: Yeas, 93; Nays, 4; Absent, 0; Excused, 1.

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

Voting nay: Representatives Chandler, Overstreet, Pearson and Taylor.

Excused: Representative Rodne.

SUBSTITUTE HOUSE BILL NO. 1135, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1135.

Representative Pearson, 39th District

SECOND READING

HOUSE BILL NO. 1177, by Representatives Hunt and McCoy

Regarding field investigations on privately owned lands.

The bill was read the second time.

Representative Taylor moved the adoption of amendment (49).

On page 3, at the beginning of line 5, insert "(1)"

On page 3, after line 13, insert the following:

"(2) Nothing in this chapter shall be interpreted to allow trespassing on private property."

Representatives Taylor and Hunt spoke in favor of the adoption of the amendment.

Amendment (49) was adopted.

The bill was ordered engrossed.

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

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

Representatives Orcutt and 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 House Bill No. 1177.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1177, and the bill passed the House by the following vote: Yeas, 66; Nays, 31; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Appleton, Asay, Billig, Blake, Carlyle, Clibborn, Cody, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Hasegawa, Hinkle, Hope, Hudgins, Hunter, Hurst, Jacks, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Rolfes, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Warnick, Wilcox, Zeiger and Mr. Speaker.

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

Excused: Representative Rodne.

ENGROSSED HOUSE BILL NO. 1177, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1179, by Representatives Hunt, Hudgins, Appleton, Liias, Miloscia, McCoy, Reykdal, Goodman, Darneille, Van De Wege, Upthegrove, Ormsby, Billig, Orwall, Green, Kenney, Dickerson, Santos, Frockt, Tharinger and Moscoso

Clarifying that public employees may attend informational or educational meetings regarding legislative issues.

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, Taylor 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 House Bill No. 1179.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1179, 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, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunter, Hurst, Jacks, 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, Probst, Reykdal, Rivers, Roberts, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representative Rodne.

HOUSE BILL NO. 1179, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1346, by Representative Hunter

Making tax law changes that do not create any new or broaden any existing tax preferences as defined in RCW 43.136.021 or increase any person's tax burden.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1346 was substituted for House Bill No. 1346 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1346 was read the second time.

Representative Hunter moved the adoption of amendment (19).

On page 4, line 17, after "TEMPORARILY" strike "SUSPENDING" and insert "NARROWING THE SCOPE OF"

On page 5, line 19, strike "~~((1984))~~ 2014" and insert "1984"

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

Amendment (19) 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 Hasegawa spoke in favor of the passage of the bill.

Representative Orcutt 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. 1346.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1346, and the bill passed the House by the following vote: Yeas, 58; Nays, 39; Absent, 0; Excused, 1.

Voting yea: Representatives Anderson, Appleton, Billig, Blake, Carlyle, Clibborn, Cody, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Hasegawa, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Rolfes, 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, Crouse, Dahlquist, Dammeier, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Parker, Pearson, Rivers, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh, Warnick, Wilcox and Zeiger.

Excused: Representative Rodne.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1346, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1347, by Representatives Hunter and Orcutt

Concerning sales and use tax exemptions for certain property and services used in manufacturing, research and development, or testing operations, not including changes to RCW 82.08.02565 and 82.12.02565 that reduce state revenue.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1347 was not substituted for House Bill No. 1347.

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

Representatives Hunter, Orcutt, Hasegawa 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 House Bill No. 1347.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1347, 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, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, 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, Probst, Reykdal, Rivers, Roberts, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representative Rodne.

HOUSE BILL NO. 1347, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1718, by Representatives Roberts, Moeller, Dammeier and Green

Concerning offenders with developmental disabilities or traumatic brain injuries.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1718 was substituted for House Bill No. 1718 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1718 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 Roberts 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 Substitute House Bill No. 1718.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1718, 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, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, 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, Probst, Reykdal, Rivers, Roberts, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representative Rodne.

SUBSTITUTE HOUSE BILL NO. 1718, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1770, by Representatives Hasegawa, Kenney, Orcutt, Frockt and Stanford

Enhancing small business participation in state purchasing.

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

Representative Schmick 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. 1770.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1770, and the bill passed the House by the following vote: Yeas, 74; Nays, 23; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Billig, Blake, Clibborn, Cody, Dammeier, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Kretz, Kristiansen, Ladenburg, Lias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Rolfes, Ross, Ryu, Santos, Seaquist, Sells, Smith, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick and Mr. Speaker.

Voting nay: Representatives Ahern, Asay, Buys, Carlyle, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Hargrove, Harris, Klippert, McCune, Overstreet, Parker, Rivers, Schmick, Shea, Short, Taylor, Wilcox and Zeiger.

Excused: Representative Rodne.

HOUSE BILL NO. 1770, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1518, by Representatives Hunt, Reykdal and Kenney**Authorizing pretax payroll deductions for qualified transit and parking benefits.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 1518 was substituted for House Bill No. 1518 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1518 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, Hinkle and Springer 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 Substitute House Bill No. 1518.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1518, and the bill passed the House by the following vote: Yeas, 66; Nays, 31; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Billig, Blake, Carlyle, Chandler, Clibborn, Cody, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Lias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Rolfes, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Walsh, Wilcox and Mr. Speaker.

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

Excused: Representative Rodne.

SUBSTITUTE HOUSE BILL NO. 1518, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1805, by Representatives Kelley, Fitzgibbon, Green, Stanford and Santos**Increasing the criminal penalty for making unlicensed small loans.**

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 Kelley 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 House Bill No. 1805.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1805, and the bill passed the House by the following vote: Yeas, 56; Nays, 41; Absent, 0; Excused, 1.

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

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

Excused: Representative Rodne.

HOUSE BILL NO. 1805, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on House Bill No. 1805.

Representative Kagi, 32nd District

SECOND READING

HOUSE BILL NO. 1952, by Representatives Upthegrove, Short, Fagan and McCune

Streamlining the state environmental policy act process.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1952 was substituted for House Bill No. 1952 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1952 was read the second time.

Representative Upthegrove moved the adoption of amendment (402).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 43.21C RCW to read as follows:

(1)(a) Except as provided in this section, the proposed actions contained in this section are categorically exempt from the requirements of this chapter if the proposed action is located within or outside an urban growth area designated under RCW 36.70A.110, and the city or county in which the proposed action is located adopts an exemption level consistent with this section. If a proposed action is located in more than one city or county, the lower of the agencies' adopted exemption levels controls regardless of which agency is the lead agency.

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

(2)(a) As part of adopting the exemption levels under this section, a city or county shall confirm, by ordinance or resolution, that adequate environmental analysis, protection, and mitigation for the adverse environmental impacts from the specified levels of action are provided by applicable local, state, or federal regulations. A city or county adopting an ordinance or resolution under this subsection shall provide written notice to all agencies with jurisdiction.

(b) If the confirmation made under (a) of this subsection relies in part on existing regulations, including rules or laws, of another agency with jurisdiction, the city or county shall provide written notice to that agency and consider agency comments, and shall condition its project approval on compliance with all such applicable regulations.

(c) An ordinance or resolution adopted by a city or county under (a) of this subsection may:

(i) Establish lower exemption levels for specific geographic areas within the city or county; and

(ii) Specify varying exemption levels for the elements of the natural or built environment that are included in the confirmation made under (a) of this subsection.

(3)(a) Except as provided in subsection (1)(b) of this section, the following types of construction are categorically exempt from the requirements of this chapter if the proposed action is located within an urban growth area designated under RCW 36.70A.110:

(i) The construction or location of single-family residential developments of fifty dwelling units or fewer;

(ii) The construction or location of multifamily residential developments of eighty dwelling units or fewer;

(iii) Excluding feed lots, the construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agricultural structure, covering up to seventy-five thousand square feet, and to be used only by the property owner or the property owner's agent in the conduct of farming the property;

(iv) The construction of an office, school, commercial, recreational, service, or storage building with thirty thousand or fewer square feet of gross floor area, and with associated parking facilities designed for one hundred automobiles or fewer;

(v) The construction of a parking lot designed for one hundred automobiles or fewer; and

(vi) Any landfill or excavation of one thousand two hundred cubic yards or fewer of disturbed area throughout the total lifetime of the fill or excavation.

(b) If a city or county does not adopt an exemption level consistent with this subsection, the exemption levels established by rule by the department of ecology in accordance with RCW 43.21C.110 apply.

(4)(a) Except as provided in subsection (1)(b) of this section, the following types of construction are categorically exempt from the requirements of this chapter if the proposed action is located outside an urban growth area designated under RCW 36.70A.110:

(i) The construction or location of single-family residential developments of thirty-five dwelling units or fewer;

(ii) Excluding feed lots, the construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agricultural structure, covering up to fifty thousand square feet, and to be used only by the property owner or the property owner's agent in the conduct of farming the property;

(iii) The construction of an office, school, commercial, recreational, service, or storage building with twenty-one thousand or fewer square feet of gross floor area, and with associated parking facilities designed for seventy automobiles or fewer; and

(iv) Any landfill or excavation of eight hundred seventy-five cubic yards or fewer of disturbed area throughout the total lifetime of the fill or excavation.

(b) If a city or county does not adopt an exemption level consistent with this subsection, the exemption levels established by rule by the department of ecology in accordance with RCW 43.21C.110 apply.

(5) This section expires July 31, 2013.

NEW SECTION. Sec. 2. A new section is added to chapter 43.21C RCW to read as follows:

(1) The department of ecology shall initiate expedited rule making under chapter 34.05 RCW to adopt categorical exemptions and exemption levels consistent with section 1 of this act and this section.

(2)(a) Except as provided in (b) of this subsection, the exemption levels adopted by the department of ecology may be lower or higher than the exemption levels provided in section 1 of this act.

(b) If the department of ecology determines that a lower exemption level is demonstrably necessary to achieve the goals of this chapter, the department of ecology may adopt exemption levels that are lower than the exemption levels provided in section 1 of this act. In no circumstances may the exemption levels adopted by the department of ecology under this section be lower than the exemption levels provided in WAC 197-11-800 as it exists on the effective date of this section.

(c) The department of ecology may not use this section to adopt rules concerning any issue not specifically addressed under this section.

(3) All rules adopted by the department of ecology under this section must be adopted and effective by July 31, 2013.

(4)(a) By July 31, 2012, the department of ecology shall provide a report to the legislature concerning the progress of its rule making initiated under this section.

(b) By July 31, 2013, the department of ecology shall provide a report concerning the outcome of its rule making initiated under this section, including the rationale used by the department of ecology in determining exemption levels.

(c) The reports required under this subsection must be submitted to the legislature consistent with RCW 43.01.036.

(5) This section expires July 31, 2014.

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

Temporary farmers markets or mobile food vendors on previously developed sites covering up to thirty thousand square feet are categorically exempt from the requirements of this chapter.

NEW SECTION. Sec. 4. A new section is added to chapter 43.21C RCW to read as follows:

(1) The utility-related actions listed in subsection (2) of this section are categorically exempt from the requirements of this chapter, except for installation, construction, or alteration on lands covered by water. The exemption includes installation and construction, relocation when required by other governmental bodies, repair, replacement, maintenance, operation, or alteration that does not change the action from an exempt class.

(2) Except as provided in subsection (1) of this section, the following are categorically exempt from the requirements of this chapter:

(a) Installing electric facilities, lines, equipment, or appurtenances, not including substations, with an associated voltage of one hundred fifteen thousand volts or fewer;

(b) Building over existing distribution lines with transmission lines of one hundred fifteen thousand volts or more; and

(c) Placing electric facilities, lines, equipment, or appurtenances underground.

(3) The department of ecology may adopt additional categorical exemptions for utility-related actions in accordance with RCW 43.21C.110.

NEW SECTION. Sec. 5. Any action taken by the department of ecology to implement the provisions of this act must be accomplished within existing resources."

Correct the title.

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

Representative Upthegrove moved the adoption of amendment (400) to amendment (402).

On page 3, line 19 of the amendment, after "expires" strike "July 31, 2013" and insert "December 31, 2012"

On page 4, line 2 of the amendment, after "by" strike "July 31, 2013" and insert "December 31, 2012"

On page 4, line 3 of the amendment, after "By" strike "July 31, 2012" and insert "December 31, 2011"

On page 4, line 6 of the amendment, after "By" strike "July 31, 2013" and insert "December 31, 2012"

On page 4, line 12 of the amendment, after "July 31," strike "2014" and insert "2013"

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

Amendment (400) was adopted.

Representative Hudgins moved the adoption of amendment (399) to amendment (402).

On page 3, line 22 of the amendment, after "initiate" strike "expedited"

Representatives Hudgins and Short spoke in favor of the adoption of the amendment to the amendment.

Amendment (399) was adopted.

Representative Hudgins moved the adoption of amendment (397).

On page 5, beginning on line 4 of the amendment, strike all of section 5 and insert the following:

"NEW SECTION. Sec. 5. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2011, in the omnibus appropriations act, this act is null and void."

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

Representative Short spoke against the adoption of the amendment to the amendment.

Division was demanded and the demand was sustained. The Speaker (Representative Moeller presiding) divided the House. The result was 52 - YEAS; 44 - NAYS.

Amendment (397) was not adopted.

Amendment (402) was adopted as amended.

The bill was ordered engrossed.

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

Representatives Upthegrove and Short 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. 1952.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 1952, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; 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, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, 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, Probst, Reykdal, Rivers, Roberts, Rolfes, 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 Frockt and Ryu.

Excused: Representative Rodne.

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1952, 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 10:00 a.m., March 7, 2011, the 57th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

1042	Second Reading.....	30
1042-S	Second Reading.....	30
	Amendment Offered.....	30
	Third Reading Final Passage.....	31
1046	Second Reading.....	11
1046-S	Second Reading.....	11
	Third Reading Final Passage.....	11
1055	Second Reading.....	22
1055-S	Second Reading.....	22
	Amendment Offered.....	22
	Third Reading Final Passage.....	23
1135	Second Reading.....	35
1135-S	Second Reading.....	35
	Third Reading Final Passage.....	35
1167	Second Reading.....	9
1167-S	Second Reading.....	9
	Third Reading Final Passage.....	9
1177	Second Reading.....	35
	Amendment Offered.....	35
	Third Reading Final Passage.....	36
1179	Second Reading.....	36
	Third Reading Final Passage.....	36
1224	Second Reading.....	32
1224-S	Second Reading.....	32
	Amendment Offered.....	32
	Third Reading Final Passage.....	33
1253	Second Reading.....	31
1253-S	Second Reading.....	31
	Amendment Offered.....	31
	Third Reading Final Passage.....	31
1257	Second Reading.....	5
1257-S	Second Reading.....	5
	Third Reading Final Passage.....	5
1346	Second Reading.....	36
1346-S	Second Reading.....	36
	Amendment Offered.....	36
	Third Reading Final Passage.....	36
1347	Second Reading.....	36
	Third Reading Final Passage.....	37
1382	Second Reading.....	19
	Amendment Offered.....	19
	Third Reading Final Passage.....	22
1384	Second Reading.....	12

1384-S	Second Reading	12
	Third Reading Final Passage	12
1409	Second Reading	33
	Amendment Offered	33
	Third Reading Final Passage	33
1421	Second Reading	6, 9
1421-S	Second Reading	6
	Amendment Offered	6
	Third Reading Final Passage	10
1473	Second Reading	11
	Third Reading Final Passage	12
1483	Second Reading	12
1483-S	Second Reading	12
	Third Reading Final Passage	12
1487	Second Reading	26
1487-S	Second Reading	26
	Amendment Offered	26
	Third Reading Final Passage	27
1518	Second Reading	37
1518-S	Second Reading	38
	Third Reading Final Passage	38
1635	Second Reading	14
1635-S	Second Reading	14
	Amendment Offered	14
	Third Reading Final Passage	17
1676	Second Reading	23
1676-S	Second Reading	23
	Amendment Offered	23
	Third Reading Final Passage	24
1694	Second Reading	5
	Third Reading Final Passage	6
1700	Second Reading	17
1700-S	Second Reading	17
	Amendment Offered	17
	Third Reading Final Passage	18
1716	Second Reading	28
1716-S	Second Reading	28
	Amendment Offered	28
	Third Reading Final Passage	30
1718	Second Reading	37
1718-S	Second Reading	37
	Third Reading Final Passage	37
1725	Second Reading	24

1725-S	
Second Reading	25
Amendment Offered	25
Third Reading Final Passage	25
1726	
Second Reading	24
Third Reading Final Passage	24
1770	
Second Reading	37
Third Reading Final Passage	37
1793	
Second Reading	30
1793-S	
Second Reading	30
Third Reading Final Passage	30
1805	
Second Reading	38
Third Reading Final Passage	38
1854	
Second Reading	31
1854-S	
Second Reading	31
Amendment Offered	31
Third Reading Final Passage	32
1860	
Second Reading	34
1860-S	
Second Reading	34
Amendment Offered	34
Third Reading Final Passage	34
1861	
Second Reading	12
1861-S	
Second Reading	12
Third Reading Final Passage	13
1897	
Second Reading	14
1897-S	
Second Reading	14
Third Reading Final Passage	14
1902	
Second Reading	33
1902-S	
Second Reading	33
Amendment Offered	33
Third Reading Final Passage	34
1922	
Second Reading	10
1922-S	
Second Reading	10
Amendment Offered	10
Third Reading Final Passage	11
1933	
Second Reading	10
1933-S	
Second Reading	10
Third Reading Final Passage	10
1952	
Second Reading	38
1952-S2	
Second Reading	38
Amendment Offered	38
Third Reading Final Passage	40
1966	
Second Reading	13
1966-S	

Second Reading.....	13
Third Reading Final Passage	13
1967	
Second Reading.....	13
1967-S	
Second Reading.....	13
Amendment Offered.....	13
Third Reading Final Passage	14
1998	
Second Reading.....	34
1998-S	
Second Reading.....	34
Third Reading Final Passage	35
2002	
Committee Report	4
Second Reading.....	25
Other Action.....	5
2002-S	
Second Reading.....	25
Amendment Offered.....	25
Third Reading Final Passage	26
2010	
Introduction & 1st Reading	1
2011	
Introduction & 1st Reading	1
Other Action.....	4
5000-S2	
Introduction & 1st Reading	1
5020-S	
Messages	27
5021-S	
Introduction & 1st Reading	1
5039-S	
Messages	27
5044	
Introduction & 1st Reading	1
5068-S	
Messages	27
5075	
Committee Report	5
5076	
Committee Report	5
5124-S	
Messages	1
5156-S	
Introduction & 1st Reading	1
5161	
Introduction & 1st Reading	1
5213	
Committee Report	5
5222-S	
Introduction & 1st Reading	2
5239-S	
Messages	27
5242	
Messages	28
5250-S	
Introduction & 1st Reading	2
5300-S	
Introduction & 1st Reading	2
5304	
Introduction & 1st Reading	2
5337-S	
Introduction & 1st Reading	2
5352-S	
Messages	28

5366-S	
Introduction & 1st Reading	2
5377	
Introduction & 1st Reading	2
5386-S	
Introduction & 1st Reading	2
5423-S	
Introduction & 1st Reading	2
5427-S2	
Introduction & 1st Reading	2
5432-S	
Introduction & 1st Reading	2
5449-S	
Introduction & 1st Reading	2
5452-S	
Introduction & 1st Reading	3
5545-S	
Introduction & 1st Reading	3
5546-S	
Introduction & 1st Reading	3
5556-S	
Introduction & 1st Reading	3
5575	
Introduction & 1st Reading	3
5576-S	
Introduction & 1st Reading	3
5589	
Introduction & 1st Reading	3
5595-S2	
Messages	28
5631	
Introduction & 1st Reading	3
5633	
Introduction & 1st Reading	3
5638	
Messages	1
5656-S	
Messages	28
5658-S	
Introduction & 1st Reading	3
5662-S2	
Introduction & 1st Reading	3
5691-S	
Introduction & 1st Reading	4
5700-S	
Second Reading	18
Third Reading Final Passage	19
5730	
Messages	1
5731	
Introduction & 1st Reading	4
5740-S	
Messages	28
5741-S	
Introduction & 1st Reading	4
5748-S	
Messages	1
5785-S	
Introduction & 1st Reading	4
5791-S	
Introduction & 1st Reading	4
5796-S	
Introduction & 1st Reading	4
5797-S	
Introduction & 1st Reading	4
5801-S	

Second Reading 23

Third Reading Final Passage 23

5819

 Messages 28

5834-S

 Messages 28

5836-S

 Introduction & 1st Reading 4

8206

 Introduction & 1st Reading 4

HOUSE OF REPRESENTATIVES (Representative Moeller presiding)

 Point of Personal Privilege Representative Shea 30

 Statement for the Journal Representative Anderson 19

 Statement for the Journal Representative Hope 19

 Statement for the Journal Representative Johnson 32

 Statement for the Journal Representative Kagi 38

 Statement for the Journal Representative Overstreet 32

 Statement for the Journal Representative Parker 32

 Statement for the Journal Representative Pearson 35

 Statement for the Journal Representative Rodne 19