EIGHTY EIGHTH DAY, APRIL 7, 2011

SIXTY SECOND LEGISLATURE - REGULAR SESSION

EIGHTY EIGHTH DAY

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Miranda Daniels-Brown and McKayla Hartsock. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Bishop Carlos Sevilla, Diocese of Yakima Washington.

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

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

MESSAGES FROM THE SENATE

April 6, 2011

MR. SPEAKER:

The Senate has passed SENATE BILL 5119 and the same is herewith transmitted.

Thomas Hoemann, Secretary

April 6, 2011

MR. SPEAKER:

The President has signed:

SENATE BILL 5011
ENGROSSED SUBSTITUTE SENATE BILL 5020
SENATE BILL 5033
ENGROSSED SUBSTITUTE SENATE BILL 5068
ENGROSSED SUBSTITUTE SENATE BILL 5105
SENATE BILL 5117
SUBSTITUTE SENATE BILL 5168
SENATE BILL 5172
SUBSTITUTE SENATE BILL 5386
SENATE BILL 5463
SUBSTITUTE SENATE BILL 5456
ENGROSSED SUBSTITUTE SENATE BILL 5545
ENGROSSED SUBSTITUTE SENATE BILL 5585
SENATE BILL 5589
SENATE BILL 5633
SUBSTITUTE SENATE BILL 5635
SUBSTITUTE SENATE BILL 5664
SUBSTITUTE SENATE BILL 5797
SUBSTITUTE SENATE BILL 5800

and the same are herewith transmitted.

Thomas Hoemann, Secretary

April 6, 2011

MR. SPEAKER:

The Senate has passed SENATE BILL 5806 and the same is herewith transmitted.

Thomas Hoemann, Secretary

INTRODUCTIONS AND FIRST READING

HB 2052 by Representative Alexander

AN ACT Relating to sourcing and mitigation provisions under the streamlined sales and use tax agreement; amending RCW 82.14.020 and 82.14.390; and repealing RCW 82.32.730, 82.14.490, 82.14.495, and 82.14.500.

Referred to Committee on Ways & Means.

HB 2053 by Representatives Clibborn, Morris, Rolfes, Lias, Reykdal, Billig, Ormsby, Finn and Seasequist

AN ACT Relating to addictive transportation funding; amending RCW 46.20.055, 46.20.117, 46.20.161, 46.20.181, 46.20.200, 46.20.202, 46.20.049, 46.25.060, 46.25.100, 46.20.308, 46.20.380, 46.17.230, 46.17.310, 46.17.315, 46.17.400, 46.17.400, 46.68.455, 46.17.005, 46.17.100, 46.17.140, 46.17.200, 46.17.200, 46.87.090, 46.87.130, 46.52.130, 46.20.293, 46.82.310, 46.82.320, 46.82.330, 46.82.340, 46.01.230, 46.70.061, 46.55.030, 46.80.040, 46.80.050, 46.79.040, 46.79.050, 46.79.060, 46.76.040, 46.76.050, and 46.37.420; reenacting and amending RCW 46.20.120; creating new sections; making appropriations and authorizing expenditures for capital improvements; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 2054 by Representative Hasegawa

AN ACT Relating to taxpayer accountability by requiring a net benefit to the state in order to claim the benefit of a tax expenditure and strengthening reporting and enforcement; and amending RCW 82.04.260, 82.04.4494, 82.08.956, 82.12.956, 82.32.585, and 82.32.534.

Referred to Committee on Ways & Means.

HB 2055 by Representative Hasegawa
AN ACT Relating to taxpayer accountability by requiring a net benefit to the state in order to claim the benefit of a tax expenditure; and amending RCW 82.32.585 and 82.32.534.

Referred to Committee on Ways & Means.

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

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

SECOND READING

SUBSTITUTE SENATE BILL NO. 5658, by Senate Committee on Transportation (originally sponsored by Senators King, Haugen and Shin)

Concerning the sale or exchange of surplus real property by the department of transportation.

The bill was read the second time.

Representative Klippert moved the adoption of amendment (513).

On page 1, beginning on line 7, after "(1)" strike all material through "(2)"

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

On page 3, beginning on line 21, after "(1)" strike all material through "(2a)"

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

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

Amendment (513) was adopted.

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

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

MOTIONS

On motion of Representative Hinkle, Representatives Fagan, Overstreet and Rodne were excused. On motion of Representative Van De Wege, Representative Hurst was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5658, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5658, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 0; Absent, 0; Excused, 4.


Excused: Representatives Fagan, Hurst, Overstreet and Rodne.

SUBSTITUTE SENATE BILL NO. 5658, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE JOINT MEMORIAL NO. 8004, by Senate Committee on Natural Resources & Marine Waters (originally sponsored by Senators Parlette, Nelson, Tom, Zarelli, Fraser, Hewitt, Klime, Hatfield, Murray and Shin)

Requesting the reestablishment of the road leading to the upper Sthekin Valley within the North Cascades National Park.

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 Upthegrove spoke in favor of the passage of the bill.

MOTION

On motion of Representative Hinkle, Representative Condotta was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Joint Memorial No. 8004.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Joint Memorial No. 8004, and the bill passed the House by the following vote: Yeas, 83; Nays, 9; Absent, 0; Excused, 5.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Armstrong, Asay, Bailey, Billig, Blake, Buys, Chandler, Clibborn, Cody, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Eddy, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler,
EIGHTY EIGHTH DAY, APRIL 7, 2011


Voting nay: Representatives Appleton, Carlyle, Dickerson, Dunshew, Hasegawa, Hunt, Ladenburg, Pedersen and Takko.

Excused: Representatives Condotta, Fagan, Hurst, Overstreet and Rodne.

SUBSTITUTE SENATE JOINT MEMORIAL NO. 8004, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2017, by Representative Hunter

Transferring the master license service program to the department of revenue. Revised for 1st Substitute: Concerning the master license service program.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2017 was substituted for House Bill No. 2017 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2017 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 Hunter, Dammeier 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. 2017.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2017, and the bill passed the House by the following vote: Yeas, 91; Nays, 0; Absent, 0; Excused, 5.


Excused: Representatives Condotta, Fagan, Hurst, Overstreet and Rodne.

SUBSTITUTE SENATE BILL NO. 5359, by Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Morton, Swecker, Honeyford and Schoesler)

Concerning contiguous land under current use open space property tax programs.

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 Orcutt 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. 5359.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5359, and the bill passed the House by the following vote: Yeas, 91; Nays, 0; Absent, 0; Excused, 5.


Excused: Representatives Condotta, Fagan, Hurst, Overstreet and Rodne.

SUBSTITUTE SENATE BILL NO. 5359, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5364, by Senate Committee on Environment, Water & Energy (originally sponsored by Senators Swecker, Pridemore, Fraser, Nelson, Honeyford, Shin and Morton)

Concerning public water system operating permits.

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 Jinkins spoke in favor of the passage of the bill.

Representative Short spoke against the passage of the bill.
MOTION

On motion of Representative Van De Wege, Mr. Speaker was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5364.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5364, and the bill passed the House by the following vote: Yeas, 52; Nays, 40; Absent, 0; Excused, 5.


Excused: Representatives Condotta, Hurst, Overstreet, Rodne and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5428, by Senate Committee on Human Services & Corrections (originally sponsored by Senators McAuliffe, Harper, Hargrove, Stevens, Zarelli, Pridemore, Shin and Roach)

Requiring notification to schools regarding the release of certain offenders.

The bill was read the second time.

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

Representatives Roberts and Dahlquist 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. 5428.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5428, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 5.


Excused: Representatives Condotta, Hurst, Overstreet, Rodne and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5452, by Senate Committee on Public Safety & Emergency Preparedness (originally sponsored by Senators Haugen, Hargrove, Stevens and Haugen)

Regarding communication, collaboration, and expedited medicaid attainment concerning persons with mental health or chemical dependency disorders who are confined in a state institution.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Public Safety & Emergency Preparedness was adopted. (For Committee amendment, see Journal, Day 72, March 22, 2011).

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 Ladenburg and Pearson spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5452, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5452, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 5.


Excused: Representatives Condotta, Hurst, Overstreet, Rodne and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5452, as amended by the House, having received the necessary constitutional majority, was declared passed.
Representatives Klippert and Armstrong spoke in favor of the adoption of the amendment.

Representative Pedersen spoke against the adoption of the amendment.

Amendment (546) was adopted.

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

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

Representatives Armstrong, McCune and Ahern spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5423, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5691, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 5.


Excused: Representatives Condotta, Hurst, Overstreet, Rodne and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5691, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5423, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Rockefeller, Honeyford and Chase)

Encouraging the reduction of recidivism by modifying legal financial obligation provisions. Revised for 1st Substitute: Modifying legal financial obligation provisions.

The bill was read the second time.

Representative Klippert moved the adoption of amendment (546).

On page 2, line 19, after "court" strike "shall" and insert "may"
On page 1, line 25 of the striking amendment, after "(7)" insert ""Permitted area" means the portion of a domestic residence housing a home kitchen where the preparation, packaging, storage, or handling of cottage food products occurs.

(8)"

On page 3, line 22 of the striking amendment, after "(1)" strike "All" and insert "The permitted area of all"

On page 3, line 25 of the striking amendment, after "inspect" insert "the permitted area of"

On page 5, line 8 of the striking amendment, after "purposes," strike "any part, portion, or" and insert "the permitted"

On page 5, line 14 of the striking amendment, after "access to" strike "any" and insert "the permitted area of"

On page 5, line 18 of the striking amendment, after "access" strike "any part, portion, or" and insert "to the permitted"

On page 5, line 21 of the striking amendment, after "limited to" insert "the permitted area and further limited to"

On page 5, line 34 of the striking amendment, after "access to" strike "any portion or" and insert "the permitted"

On page 6, beginning on line 9 of the striking amendment, after "access to" strike "the part, portion, or" and insert "the permitted"

Representatives Lytton, Chandler, Wilcox and Lytton (again) spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (570) was adopted.

Representative Wilcox moved the adoption of amendment (571) to the committee amendment.

On page 4, beginning on line 29 of the striking amendment, after "(1)" strike all material through "figure" on page 5, line 5 and insert "The gross sales of cottage food products may not exceed an annual amount set by the department. The determination of the maximum annual gross sales must be computed on the basis of the amount of gross sales within or at a particular domestic residence and may not be computed on a per person basis within or at an individual domestic residence.

(2) If gross sales exceed the maximum annual gross sales amount, the cottage food operation must either obtain a food processing plant license under chapter 69.07 RCW or cease operations.

(3) A cottage food operation exceeding the maximum annual gross sales amount is not entitled to a full or partial refund of any fees paid under section 3 or 4 of this act.

(4) The maximum annual gross sales amount must be established in rule by the department consistent with this subsection. The amount must be set at fifteen thousand dollars until December 31, 2012. Beginning January 1, 2013, the department must increase the fifteen thousand dollar annual gross sales limit biennially to reflect inflation. The department may determine inflation-based increases in any matter it deems most efficient.

(5) The director may request in writing documentation to verify the annual gross sales figure"

Representatives Wilcox and Blake spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (571) was adopted.

The committee amendment was adopted as amended.

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

Representatives Blake, Johnson, Wilcox and Dickerson spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5748, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5748, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 5.


Excused: Representatives Condotta, Hurst, Overstreet, Rodne and Mr. Speaker.

Excused: Representatives Condotta, Hurst, Overstreet, Rodne and Mr. Speaker.

SENATE JOINT RESOLUTION NO. 8205, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5036, by Senate Committee on Natural Resources & Marine Waters (originally sponsored by Senators Regala, Swecker and Fraser)

Eliminating expiration dates for the derelict vessel and invasive species removal fee. Revised for 1st Substitute: Regarding the derelict vessel and invasive species removal fee.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on General Government Appropriations & Oversight was adopted. (For Committee amendment, see Journal, Day 78, March 28, 2011).

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 Dunshee and McCune 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. 5036, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5036, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 0;Absent, 0; Excused, 5.


Excused: Representatives Condotta, Hurst, Overstreet, Rodne and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5036, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5067, by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Keiser, Kohl-Welles, Conway and Chase)

Changing the department of labor and industries certified and registered mail requirements. Revised for 1st Substitute: Changing the certified and registered mail requirements of the department of labor and industries and employment security department.

The bill was the read the second time.

There being no objection, the committee amendment by the Committee on Labor & Workforce Development was adopted. (For Committee amendment, see Journal, Day 66, March 16, 2011).

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 Sells 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. 5067, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5067, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 0;Absent, 0; Excused, 5.


Excused: Representatives Condotta, Hurst, Overstreet, Rodne and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5067, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5097, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Delvin, Kohl-Welles, McAuliffe and Chase)

Concerning juveniles with developmental disabilities who are in correctional detention centers, juvenile correction institutions or facilities, and jails.

The bill was the read the second time.
There being no objection, the committee amendment by the Committee on Health & Human Services Appropriations & Oversight was adopted. (For Committee amendment, see Journal, Day 78, March 28, 2011).

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

Representatives Dickerson and 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 Senate Bill No. 5097, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5097, as amended by the House, and the bill passed the House by the following vote: Yeas, 90; Nays, 2; Absent, 0; Excused, 5.


Excused: Representatives Condotta, Hurst, Overstreet, Rodne and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5097, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5304, by Senators Kilmer, Brown, Rockefeller, Tom, Murray, McAuliffe and Shin

Requiring forecasting of caseloads of the state need grant program and the Washington college bound scholarship program.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Ways & Means was adopted. (For Committee amendment, see Journal, Day 80, March 30, 2011).

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 Seaquist and Haler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5203, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5203, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 5.


Excused: Representatives Condotta, Hurst, Overstreet, Rodne and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5203, as amended by the House, having received the necessary constitutional majority, was declared passed.

IMPROVING THE ADMINISTRATION AND EFFICIENCY OF SEX AND KIDNAPPING OFFENDER REGISTRATION

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Public Safety & Emergency Preparedness was adopted. (For Committee amendment, see Journal, Day 65, March 15, 2011).

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 Ladenburg and Pearson spoke in favor of the passage of the bill.
EIGHTY EIGHTH DAY, APRIL 7, 2011


Voting nay: Representatives Klippert and Taylor.

Excused: Representatives Condotta, Hurst, Overstreet, Rodne and Mr. Speaker.

SENATE BILL NO. 5304, as amended by the House, having received the necessary constitutional majority, was declared passed.

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

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

REPORTS OF STANDING COMMITTEES

April 6, 2011

HB 1087  Prime Sponsor, Representative Hunter: Making 2011-2013 operating appropriations. Reported by Committee on Ways & Means

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunter, Chair; Darneille, Vice Chair; Hasegawa, Vice Chair; Carlyle; Cody; Dickerson; Haigh; Hudgins; Hunt; Kagi; Kenney; Ormsby; Pettigrew; Schmick; Springer and Sullivan.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Chandler; Haler; Halter; Parker; Ross; Schmick and Wilcox.

April 6, 2011 HB 1324  Prime Sponsor, Representative Appleton: Canceling the 2012 presidential primary. Reported by Committee on State Government & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Appleton, Vice Chair; Overstreet, Assistant Ranking Minority Member; Alexander; Condotta; Darneille; Dunshee; McCoy and Miloscia.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member and Hurst.

Referred to Committee on Ways & Means.

April 6, 2011 HB 2033  Prime Sponsor, Representative Darnelle: Consolidating arts and heritage programs for the purpose of streamlining government and improving efficiency. Reported by Committee on State Government & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, Chair; Appleton, Vice Chair; Darneille; Dunshee; Hurst and McCoy.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Alexander; Condotta and Miloscia.

Referred to Committee on Ways & Means.

April 6, 2011 HB 2035  Prime Sponsor, Representative Hudgins: Effectuating financial stability for the public printer. Reported by Committee on State Government & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, Chair; Appleton, Vice Chair; Darneille; Dunshee; Hurst; McCoy and Miloscia.

MINORITY recommendation: Do not pass. Signed by Representatives Taylor, Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Alexander and Condotta.

Referred to Committee on Ways & Means.

April 6, 2011 SUBSTITUTE SENATE BILL NO. 5394, by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Becker, Pflug, Conway, Kline and Parlette)

Concerning primary care health homes and chronic care management.

The bill was read the second time.

SECOND READING

There being no objection, the bills listed on the day’s committee reports under the fifth order of business were referred to the committees so designated with the exception of HOUSE BILL NO. 1087 which was placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.
There being no objection, the committee amendment by the Committee on Ways & Means was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 81, March 31, 2011).

Representative Cody moved the adoption of amendment (569) to the committee amendment:

On page 12, after line 6 of the striking amendment, insert the following:

*NEW SECTION. Sec. 6. A new section is added to chapter 41.05 RCW to read as follows:

(1) Effective January 1, 2013, the authority must contract with all of the public employees benefits board managed care plans and the self-insured plan or plans to include provider reimbursement methods that incentivize chronic care management within health homes resulting in reduced emergency department and inpatient use.

(2) Health home services contracted for under this section may be prioritized to enrollees with complex, high cost, or multiple chronic conditions. (3) For the purposes of this section, "chronic care management," and "health home" have the same meaning as in RCW 74.09.010.

(4) Contracts with fully insured plans and with any third party administrator for the self-funded plan that include the items in subsection (1) of this section must be funded within the resources provided by employer funding rates provided for employee health benefits in the omnibus appropriations act.

(5) Nothing in this section shall require contracted third-party health plans administering the self-insured contract to expend resources to implement items in subsection (1) of this section beyond the resources provided by employer funding rates provided for employee health benefits in the omnibus appropriations act or from other sources in the absence of these provisions.

*NEW SECTION. Sec. 7. A new section is added to chapter 41.05 RCW to read as follows:

The authority shall coordinate a discussion with carriers to learn from successful chronic care management models and develop principles for effective reimbursement methods to align incentives in support of patient centered chronic care health homes. The authority shall submit a report to the appropriate committees of the legislature by December 1, 2012 describing the principles developed from the discussion and any steps taken by the public employees benefits board or carriers in Washington State to implement the principles through their payment methodologies."

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

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

Amendment (569) was adopted.

The committee amendment was adopted as amended.

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

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

Representative 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 Substitute Senate Bill No. 5394, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5394, as amended by the House, and the bill passed the House by the following vote: Yeas, 53; Nays, 39; Absent, 0; Excused, 5.


Excused: Representatives Condotta, Hurst, Overstreet, Rodne and Mr. Speaker.

**SUBSTITUTE SENATE BILL NO. 5394**


Excused: Representatives Condotta, Hurst, Overstreet, Rodne and Mr. Speaker.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5485**, by Senate Committee on Environment, Water & Energy (originally sponsored by Senators Hargrove and Ranker)

Maximizing the use of our state's natural resources.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Capital Budget was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 88, March 29, 2011.)

With the consent of the house, amendment (559) to the committee amendment was withdrawn.

Representative Haler moved the adoption of amendment (519) to the committee amendment.

On page 1, line 13 of the amendment, after "codes;" strike "and"

On page 1, line 15 of the amendment, after "address" insert "; and

(iv) Whether there is a cost difference when materials are created using hydropower when compared to fossil fuel sources. If there is a cost advantage to using hydropower, the review must identify locations within the state where new hydropower facilities could be located"

Representatives Haler, Orcutt, Parker, Pearson and Klippert spoke in favor of the adoption of the amendment to the committee amendment.

Representatives Dunshee and Rolfes spoke against the adoption of the amendment to the committee amendment.

Amendment (519) was not adopted.
Representative Zeiger moved the adoption of amendment (532) to the committee amendment.

On page 1, line 14 of the amendment, after "life-cycle" strike "impacts" and insert "accounting"

On page 1, line 25 of the amendment, after "energy" strike all material through "materials;" and insert ", carbon, and lifecycle accounting of building materials;"

On page 1, line 27 of the amendment, after "of a" insert "high performance public"

On page 2, line 6 of the amendment, after "buildings" insert "from cradle to grave"

Representatives Zeiger and Dunshee spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (532) was adopted.

Representative Short moved the adoption of amendment (522) to the committee amendment.

On page 1, line 25 of the amendment, after "materials" insert "for public buildings"

On page 1, line 27 of the amendment, after "a" insert "public"

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

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

Amendment (522) was not adopted.

Representative Short moved the adoption of amendment (527) to the committee amendment.

On page 1, line 29 of the amendment, after "(b)" insert "The report must include a list of any journal articles, study summaries, and other scientific information reviewed by the University of Washington and Washington State University in the development of the report and the information relied upon by the University of Washington and Washington State University in finalizing the report required under (a) of this subsection.

(c)"

Representatives Short and Dunshee spoke in favor of the adoption of the amendment to the committee amendment.

Amendment (527) was adopted.

Representative Shea moved the adoption of amendment (521) to the committee amendment.

On page 2, after line 15 of the amendment, insert the following:

"(c) The department of general administration shall include in its recommendations made to the legislature:

(i) A comprehensive assessment of the fiscal and regulatory impacts of any statutory changes recommended by the department under this section on Washington state's budget, economy, consumers, families, and small and large businesses; and

(ii) An analysis of the cumulative impacts on building costs if the department's recommendations are adopted."

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

Representatives Dunshee and Rolfe spoke against the adoption of the amendment to the committee amendment.

Amendment (521) was not adopted.

The committee amendment was adopted as amended.

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

Representatives Dunshee, Short and Orcutt 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 Senate Bill No. 5485, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5485, as amended by the House, and the bill passed the House by the following vote: Yeas, 91; Nays, 1; Absent, 0; Excused, 5.


Voting nay: Representative Buys.

Excused: Representatives Condotta, Hurst, Overstreet, Rodne and Mr. Speaker.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5485, as amended by the House, having received the constitutional majority, was declared passed.

SENATE BILL NO. 5628, by Senators Fain, Eide, Roach and Litzow

Concerning a limited property tax exemption from the emergency medical services levy.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Ways & Means was adopted. (For Committee amendment, see Journal, Day 80, March 30, 2011).

There being no objection, the rules were suspended, the second reading considered the third and the bill, as amended by the House, was placed on final passage.
The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Senate Bill No. 5628, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5628, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 5.


Excused: Representatives Condotta, Hurst, Overstreet, Rodne and Mr. Speaker.

SENATE BILL NO. 5628, as amended by the House, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1449, by Representatives Hunter, Haigh, Anderson, Maxwell, Sullivan and Dammeier

Establishing a processing fee for educator certificates.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1449 was substituted for House Bill No. 1449 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1449 was read the second time.

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

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

Representative Dammeier 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. 1449.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1449, and the bill passed the House by the following vote: Yeas, 50; Nays, 42; Absent, 0; Excused, 5.


Excused: Representatives Condotta, Hurst, Overstreet, Rodne and Mr. Speaker.

SUBSTITUTE HOUSE BILL NO. 1449, having received the necessary constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5371, by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser and Conway)

Addressing the needs for health insurance coverage for persons under age nineteen.

The bill was read the second time.

With the consent of the house, amendment (568) was withdrawn.

Representative Bailey moved the adoption of amendment (580).

On page 15, line 22, after "Sec. 7," strike "This act is" and insert "Sections 5 and 6 of this act are".

On page 15, line 24, after "institutions, and" strike "takes" and insert "take"

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

Amendment (580) 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 Jinkins and Schmick 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 Senate Bill No. 5371, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5371, as amended by the House, and the bill passed the House by the following vote: Yeas, 90; Nays, 2; Absent, 0; Excused, 5.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5371, as amended by the House, having received the necessary constitutional majority, was declared passed.

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

SENATE BILL NO. 5584, by Senators Harper, Kohl-Welles and Kline

Concerning the conforming of apprenticeship program standards to federal labor standards.

The bill was read the second time.

Representative Shea moved the adoption of amendment (574).

On page 3, line 12, after "(5)" strike all material through "council," on line 13

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

There being no objection, the House deferred action on SENATE BILL NO. 5584, and the bill held its place on the second reading calendar.

SUBSTITUTE SENATE BILL NO. 5749, by Senate Committee on Higher Education & Workforce Development (originally sponsored by Senators Brown, Hewitt and Shin)

Regarding the Washington advanced college tuition payment (GET) program.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Ways & Means was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 73, March 23, 2011).

Representative Seaquist moved the adoption of amendment (567) to the committee amendment:

On page 5, beginning on line 34 of the striking amendment, after "predictable" strike all material through "factor" on line 35 and insert "reserving strategy"

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

Amendment (567) was adopted.

The committee amendment was adopted as amended.

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

Representatives Seaquist and Haler 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. 5749, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5749, as amended by the House, and the bill passed the House by the following vote: Yeas, 90; Nays, 2; Absent, 0; Excused, 5.


Voting nay: Representatives Buys and Frockt.

Excused: Representatives Condotta, Hurst, Overstreet, Rodne and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5749, as amended by the House, having received the necessary constitutional majority, was declared passed.

THIRD READING

There being no objection, the rules were suspended, and SUBSTITUTE SENATE BILL NO. 5023 was returned to second reading for the purpose of amendment.

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

SECOND READING

SUBSTITUTE SENATE BILL NO. 5023, by Senate Committee on Judiciary (originally sponsored by Senators Prentice, McAuliffe, Litzow, Shin, Kline, Pflug, Fraser, Chase and Rockefeller)

Addressing nonlegal immigration-related services.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 67, March 17, 2011).

Representative Klippert moved the adoption of amendment (579) to the committee amendment:
Representatives Kenney, Klippert, Goodman, Ross and Ryu 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. 5023, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5023, as amended by the House, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 5.


Excused: Representatives Condotta, Hurst, Overstreet, Rodne and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5023, as amended by the House, having received the necessary constitutional majority, was declared passed.

MOTION

On motion of Representative Santos, seconded by Representative Ross, Representative Ryu’s remarks were ordered spread upon the journal.

Representative Ryu’s remarks on final passage of Substitute Senate Bill No. 5023: “There is one naturalized citizen in the House of Representatives and one in the Senate. I chose to become a citizen because I love America, my adopted homeland. I was born in Korea 4 years after the Korean War Armistice was signed. South Korea was still very poor in those days. To provide for his growing family, my Dad became a migrant worker in Southeast Asia. After living in Brunei and Manila, we landed at SeaTac Airport on Christmas Eve 1969. Coming to America was the best Christmas present my father and mother ever gave us. My parents told us as we packed, that we were moving, once again, to seek the American Dream; for my parents to find a way to feed, clothe, and educate their four children. As we were growing up, they reminded us repeatedly that my three brothers and I were in America to get a good solid education, which we did through Washington State’s public education system. One brother is a doctor, another served as a Naval Officer and now is a senior director in charge of IT in a major corporation, and my baby brother, who is nearly 6’ tall, is a Boeing engineer. Was it an easy path for my parents? No. They still speak English with a very thick accent. Am I thankful they made the sacrifices of leaving their familiar home, family and friends behind? Of course I am, because whether we are first generation, fourth generation or tenth generation Americans, I still believe it is possible for us all to dream, and achieve, our American dream and that’s why I’m
voting yes, because this bill is about protecting that American
dream for all of us.”

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

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

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5073
SENATE BILL NO. 5083
SUBSTITUTE SENATE BILL NO. 5202
SENATE BILL NO. 5367
SUBSTITUTE SENATE BILL NO. 5445

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

There being no objection, the House adjourned until 9:00 a.m.,
April 8, 2011, the 89th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk
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