

THIRTY THIRD DAY

House Chamber, Olympia, Friday, February 10, 2012

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Logan Cooper and Michael Layman. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Tito Lyro, Bible Presbyterian Church of Olympia, Washington.

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

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

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

SECOND READING

HOUSE BILL NO. 2280, by Representatives Moeller, Pettigrew, Blake, Clibborn, Armstrong, Goodman, Hasegawa, Fitzgibbon, Carlyle, Orcutt, Maxwell, Dickerson, Pollet, Tharinger and Pearson

Establishing a yellow dot program for motor vehicles.

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 Moeller and Armstrong spoke in favor of the passage of the bill.

Representative Overstreet spoke against 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. 2280.

MOTION

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2280, 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, Asay, Bailey, Billig, Blake, Carlyle, Clibborn, Cody, Dammeier, Darneille, DeBolt, Dickerson,

Dunshee, Eddy, Fitzgibbon, Goodman, Green, Haigh, Hansen, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Jinkins, Johnson, Kagi, Kelley, Kirby, Klippert, Ladenburg, Lias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Ross, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Walsh, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Ahern, Buys, Chandler, Condotta, Crouse, Dahlquist, Fagan, Finn, Haler, Hargrove, Hurst, Kretz, Kristiansen, Nealey, Overstreet, Rodne, Schmick, Shea, Short, Smith, Taylor, Warnick and Wilcox.

Excused: Representative Kenney.

HOUSE BILL NO. 2280, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2592, by Representatives Roberts, Haler, Carlyle, Hinkle, Reykdal, Pettigrew, Walsh, Wylie, Kagi, Darneille, Kelley, Kenney and Tharinger

Concerning extended foster care services.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2592 was substituted for House Bill No. 2592 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2592 was read the second time.

Representative Roberts moved the adoption of amendment (986).

On page 4, line 20, after "postsecondary" strike "or vocational education program" and insert "academic or postsecondary vocational education program. The department shall develop and implement rules regarding youth eligibility requirements"

On page 6, beginning on line 9, strike all of sections 3 and 4 and insert the following:

"**Sec. 3.** RCW 74.13.680 and 2011 c 330 s 8 are each amended to read as follows:

(1) Within amounts appropriated for this specific purpose, the department shall ~~(have authority to provide continued foster care or group care to youth ages eighteen to twenty one years who are:~~

~~—(a) Enrolled in a secondary education program or a secondary education equivalency program;~~

~~—(b) Enrolled and participating in a postsecondary or vocational educational program;~~

~~—(c) Participating in a program or activity designed to promote or remove barriers to employment;~~

~~—(d) Engaged in employment for eighty hours or more per month;~~
or

~~—(e) Incapable of engaging in any of the activities described in (a) through (d) of this subsection due to a medical condition that is supported by regularly updated information.~~

~~—(2) A youth who remains eligible for placement services or benefits under this section pursuant to department rules may, within amounts appropriated for this specific purpose, continue to receive placement services and benefits until the youth reaches his or her twenty-first birthday.)~~ continue to operate the state-funded foster care to twenty-one program for three years after the effective date of this section, at which point the program shall cease to operate.

(2) The department shall not have the authority to enroll any new youth under this program after the effective date of this section, and shall only serve eligible youth enrolled prior to that date.

(3) The purpose of the foster care to twenty-one program is to serve youth ages eighteen to twenty-one who are enrolled and participating in a postsecondary academic or postsecondary vocational program.

(4) A youth participating in this program may, within amounts appropriated for this specific purpose, continue to receive placement services until the youth reaches his or her twenty-first birthday or is no longer enrolled in and participating in a postsecondary program, whichever is earlier."

Sec. 4. RCW 13.34.267 and 2011 c 330 s 7 are each amended to read as follows:

(1) In order to facilitate the delivery of extended foster care services, the court shall postpone for six months the dismissal of a dependency proceeding for any child who is a dependent child in foster care at the age of eighteen years and who, at the time of his or her eighteenth birthday(=) is:

(a) ((e))Enrolled in a secondary education program or a secondary education equivalency program(=); or

(b) Enrolled in a postsecondary academic or postsecondary vocational program, or has applied for and can demonstrate that he or she intends to timely enroll in a postsecondary academic or postsecondary vocational program.

(2)(a) The six-month postponement under this subsection is intended to allow a reasonable window of opportunity for an eligible youth who reaches the age of eighteen to request extended foster care services from the department or supervising agency. ((At the end of the six month period, the court shall dismiss the dependency if the youth has not requested extended foster care services from the department.)) The court shall dismiss the dependency if the youth:

(i) Has not requested extended foster care services from the department by the end of the six month period; or

(ii) Is no longer eligible for extended foster care services under RCW 74.13.031(10) at any point during the six month period.

(b) Until the youth requests to participate in the extended foster care program, the department is relieved of any supervisory responsibility for the youth.

((2))(3) A youth who participates in extended foster care while completing a secondary education or equivalency program may continue to receive extended foster care services for the purpose of participating in a postsecondary academic or postsecondary vocational education program if, at the time the secondary education or equivalency program is completed, the youth has applied to and can demonstrate that he or she intends to timely enroll in a postsecondary academic or vocational education program. The dependency shall be dismissed if the youth fails to timely enroll or continue in the postsecondary program, or reaches age twenty-one, whichever is earlier.

(4) A youth receiving extended foster care services is a party to the dependency proceeding. The youth's parent or guardian shall be dismissed from the dependency proceeding when the youth reaches the age of eighteen years.

((3))(5) The court shall order a youth participating in extended foster care services to be under the placement and care authority of

the department, subject to the youth's continuing agreement to participate in extended foster care services.

~~((4))(6) The court shall appoint counsel to represent a youth, as defined in RCW 13.34.030(2)(b), in dependency proceedings under this section.~~

~~((5))(7) The case plan for and delivery of services to a youth receiving extended foster care services is subject to the review requirements set forth in RCW 13.34.138 and 13.34.145, and should be applied in a developmentally appropriate manner, as they relate to youth age eighteen to twenty-one years. Additionally, the court shall consider:~~

~~(a) Whether the youth is safe in his or her placement;~~

~~(b) Whether the youth continues to be eligible for extended foster care services;~~

~~(c) Whether the current placement is developmentally appropriate for the youth;~~

~~(d) The youth's development of independent living skills; and~~

~~(e) The youth's overall progress toward transitioning to full independence and the projected date for achieving such transition.~~

~~((6))(8) Prior to the hearing, the youth's attorney shall indicate whether there are any contested issues and may provide additional information necessary for the court's review.~~

~~((7))(9) Upon the request of the youth, or when the youth is no longer eligible to receive extended foster care services according to rules adopted by the department, the court shall dismiss the dependency."~~

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

Amendment (986) 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 Roberts, Alexander, Carlyle, Johnson, Parker, Walsh, Haigh and Roberts (again) spoke in favor of the passage of the bill.

Representative Klippert 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. 2592.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2592, 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, Condotta, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kirby, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove,

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

Voting nay: Representatives Ahern, Crouse, Klippert, Kretz, McCune, Overstreet, Shea, Short and Taylor.

Excused: Representative Kenney.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2592, having received the necessary constitutional majority, was declared passed.

SPEAKER'S PRIVILEGE

The Speaker (Representative Orwall presiding) introduced members of the Mockingbird Society seated in the north gallery of the Chamber and asked the members to acknowledge them.

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

SECOND READING

HOUSE BILL NO. 2456, by Representatives Chandler, Blake and Fagan

Regarding disclosure of information relating to agriculture and livestock.

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 Chandler and Hunt 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. 2456.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2456, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Kenney.

HOUSE BILL NO. 2456, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2366, by Representatives Orwall, Bailey, McCune, Jinkins, Upthegrove, Maxwell, Ladenburg, Kenney, Van De Wege and Darneille

Requiring certain health professionals to complete education in suicide assessment, treatment, and management.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2366 was substituted for House Bill No. 2366 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2366 was read the second time.

Representative Orwall moved the adoption of amendment (950).

Strike everything after the enacting clause and insert the following:

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

(a) According to the centers for disease control and prevention:

(i) In 2008, more than thirty-six thousand people died by suicide in the United States, making it the tenth leading cause of death nationally.

(ii) During 2007-2008, an estimated five hundred sixty-nine thousand people visited hospital emergency departments with self-inflicted injuries in the United States, seventy percent of whom had attempted suicide.

(iii) During 2008-2009, the average percentages of adults who thought, planned, or attempted suicide in Washington were higher than the national average.

(b) According to a national study, veterans face an elevated risk of suicide as compared to the general population, more than twice the risk among male veterans. Another study has indicated a positive correlation between posttraumatic stress disorder and suicide.

(i) Washington state is home to more than sixty thousand men and women who have deployed in support of the wars in Iraq and Afghanistan.

(ii) Research continues on how the effects of wartime service and injuries such as traumatic brain injury, posttraumatic stress disorder, or other service-related conditions, may increase the number of veterans who attempt suicide.

(iii) As more men and women separate from the military and transition back into civilian life, community mental health providers will become a vital resource to help these veterans and their families deal with issues that may arise.

(c) Suicide has an enormous impact on the family and friends of the victim as well as the community as a whole.

(d) Approximately ninety percent of people who die by suicide had a diagnosable psychiatric disorder at the time of death. Most suicide victims exhibit warning signs or behaviors prior to an attempt.

(e) Improved training and education in suicide assessment, treatment, and management has been recommended by a variety of organizations, including the United States department of health and human services and the institute of medicine.

(2) It is therefore the intent of the legislature to help lower the suicide rate in Washington by requiring certain health professionals to complete training in suicide assessment, treatment, and management as part of their continuing education, continuing competency, or recertification requirements.

(3) The legislature does not intend to expand or limit the existing scope of practice of any health professional affected by this act.

NEW SECTION. Sec. 2. A new section is added to chapter 43.70 RCW to read as follows:

(1)(a) Beginning January 1, 2014, each of the following professionals certified or licensed under Title 18 RCW shall, at least once every six years, complete a training program in suicide assessment, treatment, and management that is approved, in rule, by the relevant disciplining authority:

- (i) An adviser or counselor certified under chapter 18.19 RCW;
- (ii) A chemical dependency professional licensed under chapter 18.205 RCW;
- (iii) A chiropractor licensed under chapter 18.25 RCW;
- (iv) A marriage and family therapist licensed under chapter 18.225 RCW;
- (v) A mental health counselor licensed under chapter 18.225 RCW;
- (vi) A naturopath licensed under chapter 18.36A RCW;
- (vii) A licensed practical nurse, registered nurse, or advanced registered nurse practitioner licensed under chapter 18.79 RCW;
- (viii) An occupational therapy practitioner licensed under chapter 18.59 RCW;
- (ix) An osteopathic physician and surgeon licensed under chapter 18.57 RCW;
- (x) An osteopathic physician assistant licensed under chapter 18.57A RCW;
- (xi) A physical therapist or physical therapist assistant licensed under chapter 18.74 RCW;
- (xii) A physician assistant licensed under chapter 18.71A RCW;
- (xiii) A psychologist licensed under chapter 18.83 RCW;
- (xiv) A sex offender treatment provider or affiliate sex offender treatment provider certified under chapter 18.155 RCW; and
- (xv) An advanced social worker or independent clinical social worker licensed under chapter 18.225 RCW.

(b) A physician licensed under chapter 18.71 RCW shall complete a training program in suicide assessment, treatment, and management at least once every eight years.

(c) In order to be certified or recertified, a physician's trained emergency medical service intermediate life support technician and paramedic certified under chapter 18.71 RCW shall show evidence that he or she has completed a training program in suicide assessment, treatment, and management during the six years prior to submitting his or her application for recertification.

(d) The requirements in (a) through (c) of this subsection apply to a person holding a retired active license for one of the professions in (a) through (c) of this subsection.

(2)(a)(i) Except as provided in (a)(ii) and (iii) of this subsection, a professional listed in subsection (1)(a) or (b) of this section must complete the first training required by this section during the first full continuing education reporting period after the effective date of this section or the first full continuing education reporting period after initial licensure or certification, whichever occurs later.

(ii) A professional listed in subsection (1)(a) of this subsection applying for initial licensure on or after the effective date of this section may delay completion of the first training required by this section for six years after initial licensure if he or she can demonstrate successful completion of a six-hour training program in suicide assessment, treatment, and management that:

- (A) Was completed no more than six years prior to the application for initial licensure; and
- (B) Is listed on the best practices registry of the American foundation for suicide prevention and the suicide prevention resource center.

(iii) A professional listed in subsection (1)(b) of this section applying for initial licensure on or after the effective date of this section may delay the first training required by this section for eight years after initial licensure if he or she can demonstrate successful completion of a six-hour training program in suicide assessment, treatment, and management that:

(A) Was completed no more than eight years prior to the application for initial licensure; and

(B) Is listed on the best practices registry of the American foundation for suicide prevention and the suicide prevention resource center.

(b) Until January 1, 2020, a physician's trained emergency medical service intermediate life support technician and paramedic may be certified or recertified once without completing the training program in suicide assessment, treatment, and management. The physician's trained emergency medical service intermediate life support technician and paramedic shall complete the training program in suicide assessment, treatment, and management prior to his or her next recertification.

(3) The hours spent completing a training program in suicide assessment, treatment, and management under this section count toward meeting any applicable continuing education or continuing competency requirements for each profession.

(4)(a) A disciplining authority may, by rule, specify minimum training and experience that is sufficient to exempt a professional from the training requirements in subsection (1) of this section.

(b) The medical quality assurance commission, board of osteopathic medicine, and nursing care quality assurance commission may exempt physicians, osteopathic physicians, advanced registered nurse practitioners, and registered nurses from the training requirements of subsection (1) of this section by specialty, if the specialty in question does not practice primary care and has only brief or limited patient contact.

(5)(a) The secretary and the disciplining authorities shall work collaboratively to develop a model list of training programs in suicide assessment, treatment, and management.

(b) When developing the model list, the secretary and the disciplining authorities shall:

(i) Consider suicide assessment, treatment, and management training programs of at least six hours in length listed on the best practices registry of the American foundation for suicide prevention and the suicide prevention resource center; and

(ii) Consult with public and private institutions of higher education, experts in suicide assessment, treatment, and management, and affected professional associations.

(c) The secretary and the disciplining authorities shall report the model list of training programs to the appropriate committees of the legislature no later than December 15, 2013.

(6) Nothing in this section may be interpreted to expand or limit the scope of practice of any profession regulated under chapter 18.130 RCW.

(7) The secretary and the disciplining authorities affected by this section shall adopt any rules necessary to implement this section.

(8) For purposes of this section:

(a) "Disciplining authority" has the same meaning as in RCW 18.130.020.

(b) "Training program in suicide assessment, treatment, and management" means an empirically supported training program approved by the appropriate disciplining authority that contains the following elements: Suicide assessment, including screening and referral, suicide treatment, and suicide management. The disciplining authority may approve a training program that excludes one of the elements if the element is inappropriate for the profession in question based on the profession's scope of practice. A training program that includes only screening and referral elements shall be at least three hours in length. All other training programs approved under this section shall be at least six hours in length.

(9) A state or local government employee is exempt from the requirements of this section if he or she receives a total of at least six hours of training in suicide assessment, treatment, and management from his or her employer every six years. For purposes of this

subsection, the training may be provided in one six-hour block or may be spread among shorter training sessions at the employer's discretion.

NEW SECTION. Sec. 3. This act may be known and cited as the Matt Adler suicide assessment, treatment, and management training act of 2012."

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

Amendment (950) 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 Orwall, Bailey, Liias, Angel, Hinkle, Green and Smith spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2366.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2366, and the bill passed the House by the following vote: Yeas, 92; Nays, 5; Absent, 0; Excused, 1.

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

Voting nay: Representatives Condotta, Kristiansen, Overstreet, Shea and Taylor.

Excused: Representative Kenney.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2366, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2567, by Representative Fitzgibbon

Authorizing an optional system of rates and charges for conservation districts.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2567 was substituted for House Bill No. 2567 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2567 was read the second time.

Representative Fitzgibbon moved the adoption of amendment (919).

On page 4, beginning on line 7, strike all of section 3

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

Amendment (919) was adopted.

The bill was ordered engrossed.

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

Representatives Fitzgibbon, Chandler and Armstrong spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2567.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2567, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

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

Voting nay: Representatives Buys, DeBolt, Eddy, Kristiansen, Overstreet, Pearson, Rodne and Shea.

Excused: Representative Kenney.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2567, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2617, by Representatives Anderson and Haigh

Regarding school district financial insolvency.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2617 was substituted for House Bill No. 2617 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2617 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 Anderson and Haigh 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. 2617.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2617, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Kenney.

SUBSTITUTE HOUSE BILL NO. 2617, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2651, by Representatives Springer, Chandler, Blake, Upthegrove and Wilcox

Changing the numeric limit for bacterial contamination for industrial storm water permittees with discharges to water bodies listed as impaired to a narrative limit.

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 Springer 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 House Bill No. 2651.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2651, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

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

Excused: Representative Kenney.

HOUSE BILL NO. 2651, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2668, by Representatives Hope, Hurst and Kelley

Addressing bail practices.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2668 was substituted for House Bill No. 2668 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2668 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 Hope and Hurst spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2668.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2668, and the bill passed the House by the following vote: Yeas, 94; Nays, 3; Absent, 0; Excused, 1.

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

Voting nay: Representatives Klippert, Short and Taylor.

Excused: Representative Kenney.

SUBSTITUTE HOUSE BILL NO. 2668, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2698, by Representatives Kelley and Rivers**Addressing the notice given to owners of life insurance policies about alternative transactions.**

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 Kelley and Rivers 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. 2698.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2698, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Kenney.

HOUSE BILL NO. 2698, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2725, by Representative Ryu**Concerning the agency council on coordinated transportation.**

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 Ryu and Armstrong spoke in favor of the passage of the bill.

Representative Angel spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2725.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2725, and the bill passed the House by the following vote: Yeas, 56; Nays, 41; Absent, 0; Excused, 1.

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

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

Excused: Representative Kenney.

HOUSE BILL NO. 2725, having received the necessary constitutional majority, was declared passed.

THIRD READING**SUBSTITUTE HOUSE BILL NO. 1518, by House Committee on State Government & Tribal Affairs (originally sponsored by Representatives Hunt, Reykdal and Kenney).****Authorizing pretax payroll deductions for qualified transit and parking benefits.**

The bill was read the third time.

Representative Hunt 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. 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, 68; Nays, 29; Absent, 0; Excused, 1.

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

Voting nay: Representatives Ahern, Armstrong, Bailey, Buys, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Harris, Johnson, Klippert, Kretz, Kristiansen, McCune, Nealey, Overstreet, Parker, Pearson, Rivers, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor and Warnick.

Excused: Representative Kenney.

SUBSTITUTE HOUSE BILL NO. 1518, having received the necessary constitutional majority, was declared passed.

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

SECOND READING

HOUSE BILL NO. 1256, by Representative Appleton

Concerning body art, body piercing, and tattooing.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1256 was substituted for House Bill No. 1256 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1256 was read the second time.

Representative Appleton moved the adoption of amendment (1004).

On page 4, line 29, after "July 1," strike "2013" and insert "2014"
On page 5, line 1, after "July 1," strike "2013" and insert "2014"
On page 5, line 27, after "July 1," strike "2013" and insert "2014"

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

Amendment (1004) 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 Appleton 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 Engrossed Substitute House Bill No. 1256.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1256, and the bill passed the House by the following vote: Yeas, 89; Nays, 8; Absent, 0; Excused, 1.

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

Voting nay: Representatives Ahern, Billig, Blake, Kretz, Overstreet, Shea, Short and Taylor.

Excused: Representative Kenney.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1256, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2010, by Representatives Kirby and Bailey

Addressing title insurance rate filings.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2010 was substituted for House Bill No. 2010 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2010 was read the second time.

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

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

Representative Nealey 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. 2010.

MOTION

On motion of Representative Overstreet, Representative Hinkle was excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2010, and the bill passed the House by the following vote: Yeas, 76; Nays, 20; Absent, 0; Excused, 2.

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

Voting nay: Representatives Ahern, Condotta, Crouse, Dahlquist, Hargrove, Klippert, Kretz, Kristiansen, McCune, Nealey, Orcutt, Overstreet, Pearson, Rivers, Rodne, Schmick, Shea, Smith, Walsh and Warnick.

Excused: Representatives Hinkle and Kenney.

SUBSTITUTE HOUSE BILL NO. 2010, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2228, by Representatives Jinkins, Appleton, Reykdal, Stanford, Ryu, Maxwell, Pollet, Ormsby, Cody, Upthegrove, Roberts, Kagi, Wilcox, Ladenburg and Hasegawa

Allowing for redistribution of medications under certain conditions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2228 was substituted for House Bill No. 2228 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2228 was read the second time.

Representative Jinkins moved the adoption of amendment (915).

On page 4, beginning on line 31, after "which" strike ", without compensation or the expectation of compensation,"

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

Amendment (915) was adopted.

The bill was ordered engrossed.

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

Representatives Jinkins, Schmick and Wilcox spoke in favor of the passage of the bill.

Representative Klippert 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. 2228.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2228, and the bill passed the House by the following vote: Yeas, 82; Nays, 14; Absent, 0; Excused, 2.

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

Voting nay: Representatives Angel, Buys, Condotta, Crouse, Klippert, Kretz, Kristiansen, Orcutt, Overstreet, Pearson, Schmick, Shea, Short and Taylor.

Excused: Representatives Hinkle and Kenney.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2228, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2352, by Representatives Reykdal, Fitzgibbon, Zeiger, Kenney, Maxwell, Haler, Green, Jinkins, Sells, Moscoso, Ormsby, Pollet, Billig, Anderson, Probst, Lytton, Wylie, Ladenburg, Kelley, Angel and Hunt**Concerning institutions of higher education services and activities fees.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2352 was substituted for House Bill No. 2352 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2352 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 Reykdal, Haler 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. 2352.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2352, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Hinkle and Kenney.

SUBSTITUTE HOUSE BILL NO. 2352, having received the necessary constitutional majority, was declared passed.

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

INTRODUCTIONS AND FIRST READING

HB 2781 by Representatives Liias, Orwall, Cody, Fitzgibbon, Darneille, Dickerson, Pedersen, Appleton, Kagi, Lytton, Jinkins, Billig, Clibborn, Ladenburg, Sells, Moscoso, Maxwell, Hudgins, Van De Wege, Kenney, Goodman, Reykdal and Hansen

AN ACT Relating to protecting access to health care facilities; and amending RCW 9A.50.040 and 9A.50.020.

Referred to Committee on Judiciary.

E2SSB 5188 by Senate Committee on Transportation (originally sponsored by Senators Becker, Haugen, Swecker, Stevens, King, Fain, Delvin, Holmquist Newbry, Honeyford and Hewitt)

AN ACT Relating to harmonizing certain traffic control signal provisions relative to yellow change intervals, certain fine amount limitations, and certain signage and reporting requirements; amending RCW 46.63.170; adding a new section to chapter 47.36 RCW; and creating a new section.

Referred to Committee on Transportation.

E2SSB 5292 by Senate Committee on Government Operations, Tribal Relations & Elections (originally sponsored by Senators Honeyford, Schoesler, Swecker, Holmquist Newbry and Roach)

AN ACT Relating to exempting certain structures that are constructed and maintained by irrigation districts and port districts from the definition of critical areas; and reenacting and amending RCW 36.70A.030.

Referred to Committee on Local Government.

SSB 6002 by Senate Committee on Ways & Means (originally sponsored by Senators Kilmer, Parlette, Morton and Shin)

AN ACT Relating to adjustments to the school construction assistance formula; amending RCW 28A.525.162; reenacting and amending RCW 28A.525.166; creating a new section; and declaring an emergency.

Referred to Committee on Capital Budget.

ESSB 6103 by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser and Fraser)

AN ACT Relating to the practice of reflexology and massage therapy; amending RCW 18.108.010, 18.108.025, 18.108.030, 18.108.040, 18.108.050, 18.108.070, 18.108.073, 18.108.095, 18.108.130, 18.108.085, 18.120.020, and 18.130.040; and adding new sections to chapter 18.108 RCW.

Referred to Committee on Health Care & Wellness.

SB 6223 by Senators Regala, Hargrove and Stevens

AN ACT Relating to repealing the early supplemental security income transition project; and repealing RCW 74.04.652.

Referred to Committee on Health & Human Services Appropriations & Oversight.

ESSB 6251 by Senate Committee on Judiciary (originally sponsored by Senators Kohl-Welles, Delvin, Eide, Chase, Pflug, Conway, Kline, Ranker, Stevens, Fraser, Regala, Nelson, Roach and Frockt)

AN ACT Relating to advertising commercial sexual abuse of a minor; adding a new section to chapter 9.68A RCW; creating new sections; and prescribing penalties.

Referred to Committee on Public Safety & Emergency Preparedness.

ESSB 6252 by Senate Committee on Judiciary (originally sponsored by Senators Kline, Zarelli, Kohl-Welles, Shin, Conway, Eide, Chase, Delvin, Litzow, Stevens, Fraser, Pflug, Regala, Nelson, Keiser and Roach)

AN ACT Relating to commercial sexual abuse of a minor, promoting commercial sexual abuse of a minor, and promoting prostitution in the first degree; and amending RCW 9A.82.010 and 9A.82.100.

Referred to Committee on Public Safety & Emergency Preparedness.

SSB 6253 by Senate Committee on Judiciary (originally sponsored by Senators Eide, Kline, Regala, Shin, Kohl-Welles, Litzow, Chase, Stevens, Nelson, Keiser, Roach and Conway)

AN ACT Relating to seizure and forfeiture; and adding a new section to chapter 9A.88 RCW.

Referred to Committee on Public Safety & Emergency Preparedness.

ESB 6254 by Senators Delvin, Hargrove, Kohl-Welles, Roach, Conway, Pflug, Ericksen, Carrell, Schoesler, Fain, Baumgartner, Fraser, Padden, Regala, Kline, Shin, Litzow, Eide, Chase, Stevens, Nelson and Keiser

AN ACT Relating to promoting prostitution; amending RCW 9A.88.070; and prescribing penalties.

Referred to Committee on Public Safety & Emergency Preparedness.

SB 6256 by Senators Conway, Delvin, Roach, Chase, Kohl-Welles, Eide, Litzow, Fraser, Stevens, Pflug, Regala, Nelson, Keiser and Holmquist Newbry

AN ACT Relating to adding commercial sexual abuse of a minor to the list of criminal street gang-related offenses; and reenacting and amending RCW 9.94A.030.

Referred to Committee on Public Safety & Emergency Preparedness.

ESB 6257 by Senators Roach, Conway, Swecker, Fraser, Pflug, Kohl-Welles, Eide, Delvin, Stevens, Padden, Regala, Chase, Tom, Kastama, Haugen, Litzow, Brown, Kline, Shin, Nelson and Keiser

AN ACT Relating to a sexually explicit act; amending RCW 9.68A.101 and 9A.40.100; and prescribing penalties.

Referred to Committee on Public Safety & Emergency Preparedness.

SSB 6258 by Senate Committee on Judiciary (originally sponsored by Senators Stevens, Carrell, Kohl-Welles, Fraser, Delvin, Regala and Roach)

AN ACT Relating to unaccompanied persons; amending RCW 9A.40.090; and providing an effective date.

Referred to Committee on Public Safety & Emergency Preparedness.

SSB 6384 by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Parlette, Murray, Keiser, Fraser, Carrell, Kline, Pridemore, Frockt, Delvin, Harper, Fain, Honeyford, Benton, Hobbs, Hewitt, Shin, Regala, McAuliffe, Conway, Kohl-Welles, Roach, Haugen and Nelson)

AN ACT Relating to ensuring that persons with developmental disabilities be given the opportunity to transition to a community access program after enrollment in an employment program; and adding a new section to chapter 71A.12 RCW.

Referred to Committee on Early Learning & Human Services.

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

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

SECOND READING

HOUSE BILL NO. 1983, by Representatives Parker, Kenney, McCune, Hunt, Johnson, Pearson, Ryu, Fagan and Nealey

Increasing fee assessments for prostitution crimes.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1983 was substituted for House Bill No. 1983 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1983 was read the second time.

Representative Appleton moved the adoption of amendment (895).

On page 1, after line 4, insert the following:

"**NEW SECTION. Sec. 1.** The legislature finds that individuals convicted of promoting prostitution, as defined in RCW 9A.88.070 and 9A.88.080, colloquially identified as "pimps" and "madames," are the individuals most responsible for the exploitation and victimization of vulnerable people in the commercial sex trade. Accordingly, it is most appropriate that increased fines imposed on these offenders go to local jurisdictions to facilitate increased enforcement, promote understanding of the true costs of the sex trade, and support rehabilitative programs for victims." Renumber the remaining sections consecutively and correct any internal references accordingly. Correct the title.

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

Amendment (895) was adopted.

The bill was ordered engrossed.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1983.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1983, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Representative Kenney.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1983, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2692, by Representatives Orwall, Asay, Parker, Carlyle, Kelley, Hurst, Ormsby, Kagi, Dickerson, Upthegrove, Goodman, Pettigrew, Maxwell, Dahlquist, Dammeier, Moscoso, Pearson and Kenney

Concerning the reduction of the commercial sale of sex.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2692 was substituted for House Bill No. 2692 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2692 was read the second time.

With the consent of the house, amendment (945) was withdrawn.

Representative Orwall moved the adoption of amendment (969).

On page 4, beginning on line 1, strike all of section 3

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

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

Representative Pearson spoke against the adoption of the amendment.

Amendment (969) 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 Orwall, Asay and Hurst spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2692.

MOTION

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2692, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Kelley and Kenney.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2692, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1552, by Representative Goodman

Concerning garnishment.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1552 was substituted for House Bill No. 1552 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1552 was read the second time.

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

Representatives Goodman and Nealey 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. 1552.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1552, and the bill passed the House by the following vote: Yeas, 92; Nays, 4; Absent, 0; Excused, 2.

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

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

Excused: Representatives Kelley and Kenney.

SUBSTITUTE HOUSE BILL NO. 1552, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2361, by Representatives Kirby, Bailey, Kelley, Parker, Rivers, Buys, Blake, Hurst, Condotta and Pollet

Concerning usage-based automobile insurance.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2361 was substituted for House Bill No. 2361 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2361 was read the second time.

Representative Kirby moved the adoption of amendment (995).

On page 2, beginning on line 19, after "gathered" strike all material through "46.35.010" on line 20 and insert "from any recording device as defined in RCW 46.35.010, or a system, or business method that records and preserves data arising from the actual usage of a motor vehicle"

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

Amendment (995) 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 Kirby and Bailey spoke in favor of the passage of the bill.

Representative Ryu 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. 2361.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2361, and the bill passed the House by the following vote: Yeas, 73; Nays, 23; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kirby, Klippert, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Moscoso, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Rodne, Ross, Santos, Schmick, Seaquist, Sells, Smith, Springer, Stanford, Takko, Tharinger, Upthegrove, Van De Wege, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Ahern, Appleton, Asay, Condotta, Crouse, Dahlquist, Eddy, Harris, Hasegawa, Kagi, Kretz, Kristiansen, Ladenburg, Morris, Nealey, Overstreet, Ryu, Shea, Short, Sullivan, Taylor, Walsh and Warnick.

Excused: Representatives Kelley and Kenney.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2361, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2370, by Representatives Billig, Jinkins, Cody, Liias, Fitzgibbon, Green, Lytton, Ryu, Moscoso, Ladenburg, Maxwell, Tharinger, Finn, Pedersen, Reykdal, Hansen, Hunt, Ormsby, Clibborn, Moeller, Kenney and Santos

Including health in the state transportation system policy goals.

The bill was read the second time.

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

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

Representatives Armstrong, Smith and Anderson 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. 2370.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2370, and the bill passed the House by the following vote: Yeas, 53; Nays, 43; Absent, 0; Excused, 2.

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

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

Excused: Representatives Kelley and Kenney.

HOUSE BILL NO. 2370, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2384, by Representatives Hudgins, Bailey, Kirby, Condotta, Pedersen, Ryu, Fitzgibbon, Moscoso, Stanford, Upthegrove, Billig, Liias and Ladenburg

Regulating personal vehicle sharing programs.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2384 was substituted for House Bill No. 2384 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2384 was read the second time.

Representative Hudgins moved the adoption of amendment (1003).

On page 3, line 16, strike "electric" and insert "electronic"

Beginning on page 3, line 37, strike all of subsection (8) and insert the following:

"(8)(a) Prior to the first use of a vehicle in a program, and upon renewal, cancellation, or change in insurance by the program, provide the vehicle's registered owner and any person operating the vehicle pursuant to the program with a disclosure that contains:

(i) Information explaining the requirements of this section;

(ii) Full and clear disclosure of the coverages and coverage limits provided under the program insurance policy;

(iii) Notice that the vehicle owner's insurer has no duty to defend or indemnify any person or organization for liability for any loss that occurs during use of the vehicle pursuant to a program; and

(iv) Notice that the vehicle owner or any person operating the vehicle pursuant to the program may have liability for claims that exceed the limits of the program insurance policy.

(b) The information in (a) of this subsection must be made available to the vehicle owner's insurer upon the insurer's request."

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

Amendment (1003) 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 Bailey spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2384.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2384, and the bill passed the House by the following vote: Yeas, 73; Nays, 23; Absent, 0; Excused, 2.

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

Voting nay: Representatives Ahern, Alexander, Anderson, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Harris, Hinkle, Klippert, Kretz, Kristiansen, McCune, Overstreet, Pearson, Rodne, Schmick, Shea, Short, Smith, Taylor and Walsh.

Excused: Representatives Kelley and Kenney.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2384, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2389, by Representative Orcutt

Modifying the submission dates for economic and revenue forecasts.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2389 was substituted for House Bill No. 2389 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2389 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 Hasegawa spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2389.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2389, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Kelley and Kenney.

SUBSTITUTE HOUSE BILL NO. 2389, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2457, by Representatives Kirby and Bailey

Addressing specialty producer licenses.

The bill was read the second time.

Representative Kirby moved the adoption of amendment (990).

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 48.120.005 and 2008 c 217 s 94 are each amended to read as follows:

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

(1) (~~"Communications equipment" means handsets, pagers, personal digital assistants, portable computers, automatic answering devices, batteries, and their accessories or other devices used to originate or receive communications signals or service approved for coverage by rule of the commissioner, and also includes services related to the use of the devices.~~) "Portable electronics" means personal, self-contained, easily carried by an individual, battery-operated electronic communication, viewing, listening, recording, gaming, computing or global positioning devices and other similar devices and their accessories, and service related to the use of such devices.

(2) (~~"(Communications equipment)~~) Portable electronics insurance program" means an insurance program as described in RCW 48.120.015.

(3) (~~"(Communications service" means the service necessary to send, receive, or originate communications signals)~~) "Portable electronics transaction" means the sale or lease of portable electronics or the sale of a service related to the use of portable electronics by a vendor to a customer.

(4) "Customer" means a person ((or entity purchasing or leasing communications equipment or communications services from)) that enters into a portable electronics transaction with a vendor.

(5) "Specialty producer license" means a license issued under RCW 48.120.010 that authorizes a vendor to offer or sell insurance as provided in RCW 48.120.015.

(6) "Supervising ~~(agent)~~ person" means a licensed insurer or an appointed insurance producer licensed under RCW 48.17.090 who provides training as described in RCW 48.120.020 and is ~~((affiliated to a licensed vendor))~~ appointed by an insurer to supervise the administration of a portable electronics insurance program.

(7) "Vendor" means a person ~~((or entity resident or with offices in this state))~~ in the business of ~~((leasing, selling, or providing communications equipment or communications service to customers))~~, directly or indirectly, engaging in portable electronics transactions.

(8) "Appointing insurer" means the insurer appointing the vendor as its agent under a specialty producer license.

(9) "Federal securities law" means the securities act of 1933, the securities exchange act of 1934, and the investment company act of 1940.

(10) "Location" means any physical locale in this state and any web site, call center site, or similar site directed to residents of this state.

Sec. 2. RCW 48.120.010 and 2008 c 217 s 95 are each amended to read as follows:

(1) A vendor that intends to offer insurance under RCW 48.120.015 must file a specialty producer license application with the commissioner. Before the commissioner issues such a license, the vendor must be appointed as the insurance producer of one or more authorized appointing insurers under a vendor's specialty producer license.

(2) Upon receipt of an application, if the commissioner is satisfied that the application is complete, the commissioner may issue a specialty producer license to the vendor.

(3) An application for licensure pursuant to this section must conform to the requirements of chapter 48.17 RCW. However, information with respect to an applicant's officers, directors, and shareholders of record having beneficial ownership of ten percent or more of any class of securities registered under federal securities law may only be required if the vendor derives more than fifty percent of its revenue from the sale of portable electronics insurance.

Sec. 3. RCW 48.120.015 and 2002 c 357 s 3 are each amended to read as follows:

(1) A specialty producer license authorizes a vendor and its employees and authorized representatives to offer and sell to, enroll in, and bill and collect premiums from customers for insurance covering ~~((communications equipment))~~ portable electronics on a master, corporate, group, or on an individual policy basis at each location at which the vendor engages in portable electronics transactions. However:

(a) The supervising person must maintain a list of a vendor's locations that are authorized to sell or solicit portable electronics insurance coverage; and

(b) The list under (a) of this subsection must be provided to the commissioner within ten days of a request by the commissioner.

(2) An employee or authorized representative of a vendor may sell or offer portable electronics insurance to the vendor's customers without being individually licensed as an insurance producer if the vendor is licensed under this chapter and is acting in compliance with this chapter and any rules adopted by the commissioner.

(3) A vendor billing and collecting premiums from customers for portable electronics insurance coverage is not required to maintain these funds in a segregated account if the vendor:

(a) Is authorized by the insurer to hold the funds in an alternative manner; and

(b) Remits the funds to the supervising person within sixty days of receipt.

(4) All funds received by a vendor from an enrolled customer for

the sale of portable electronics insurance are considered funds held in trust by the vendor in a fiduciary capacity for the benefit of the insurer.

(5) Any charge to the enrolled customer for coverage that is not included in the cost associated with the purchase or lease of portable electronics or related services must be separately itemized on the enrolled customer's bill.

(6) If portable electronics insurance coverage is included with the purchase or lease of portable electronics or related services, the vendor must clearly and conspicuously disclose to the enrolled customer that the portable electronics insurance coverage is included with the portable electronics or related services.

(7) Vendors may receive compensation for billing and collection services.

Sec. 4. RCW 48.120.020 and 2002 c 357 s 4 are each amended to read as follows:

(1) A vendor issued a specialty producer license may not issue insurance under RCW 48.120.015 unless:

(a) At every location where customers are enrolled in ~~((communications equipment))~~ portable electronics insurance programs, written material regarding the program is made available to prospective customers that:

(i) Discloses that portable electronics insurance may provide a duplication of coverage already provided by a customer's homeowner's insurance policy, renter's insurance policy, or other source of coverage;

(ii) States that the enrollment by the customer in a portable electronics insurance program is not required in order to purchase or lease portable electronics or services;

(iii) Summarizes the material terms of the insurance coverage, including the identity of the insurer, the identity of the supervising person, the amount of any applicable deductible and how it is to be paid, benefits of the coverage, and key terms and conditions of coverage, such as whether portable electronics may be replaced with a similar make and model or reconditioned make and model or repaired with nonoriginal manufacturer parts or equipment;

(iv) Summarizes the process for filing a claim, including a description of how to return portable electronics and the maximum fee applicable in the event the customer fails to comply with any equipment return requirements; and

(v) States that an enrolled customer may cancel enrollment for coverage under a portable electronics insurance policy at any time and the person paying the premium will receive a refund of any applicable unearned premium; and

(b) The ~~((communications equipment))~~ portable electronics insurance program is operated with the participation of a supervising ~~((agent))~~ person who, with authorization and approval from the appointing insurer, supervises a training program for employees of the licensed vendor. The training must comply with the following:

(i) The training must be delivered to employees and authorized representatives of vendors who are directly engaged in the activity of selling or offering portable electronics insurance;

(ii) The training may be provided in electronic form. However, if conducted in an electronic form, the supervising person must implement a supplemental education program regarding the portable electronics insurance product that is conducted and overseen by licensed employees of the supervising person; and

(iii) Each employee and authorized representative must receive basic instruction about the portable electronics insurance offered to customers and the disclosures required under this section.

(2) No employee or authorized representative of a vendor of portable electronics may advertise, represent, or otherwise hold himself or herself out as a nonlimited lines licensed insurance producer.

~~((2))~~ (3) Employees and authorized representatives of a vendor issued a specialty producer license may only act on behalf of the

vendor in the offer, sale, solicitation, or enrollment of customers in a ~~((communications—equipment))~~ portable electronics insurance program. The conduct of these employees and authorized representatives within the scope of their employment or agency is the same as conduct of the vendor for purposes of this title.

Sec. 5. RCW 48.17.170 and 2009 c 162 s 19 and 2009 c 119 s 11 are each reenacted and amended to read as follows:

(1) Unless denied licensure under RCW 48.17.530, persons who have met the requirements of RCW 48.17.090 and 48.17.110 shall be issued an insurance producer license. An insurance producer may receive a license in one or more of the following lines of authority:

(a) "Life," which is insurance coverage on human lives, including benefits of endowment and annuities, and may include benefits in the event of death or dismemberment by accident and benefits for disability income;

(b) "Disability," which is insurance coverage for accident, health, and disability or sickness, bodily injury, or accidental death, and may include benefits for disability income;

(c) "Property," which is insurance coverage for the direct or consequential loss or damage to property of every kind;

(d) "Casualty," which is insurance coverage against legal liability, including that for death, injury, or disability or damage to real or personal property;

(e) "Variable life and variable annuity products," which is insurance coverage provided under variable life insurance contracts, variable annuities, or any other life insurance or annuity product that reflects the investment experience of a separate account;

(f) "Personal lines," which is property and casualty insurance coverage sold to individuals and families for primarily noncommercial purposes;

(g) Limited lines:

(i) Surety;

(ii) Limited line credit insurance;

(iii) Travel;

(h) Specialty lines:

(i) ~~((Communications—equipment—or—services))~~ Portable electronics;

(ii) Rental car;

(iii) Self-service storage; or

(i) Any other line of insurance permitted under state laws or rules.

(2) Unless denied licensure under RCW 48.17.530, persons who have met the requirements of RCW 48.17.090(4) shall be issued a title insurance agent license.

(3) All insurance producers', title insurance agents', and adjusters' licenses issued by the commissioner shall be valid for the time period established by the commissioner unless suspended or revoked at an earlier date.

(4) Subject to the right of the commissioner to suspend, revoke, or refuse to renew any insurance producer's, title insurance agent's, or adjuster's license as provided in this title, the license may be renewed into another like period by filing with the commissioner by any means acceptable to the commissioner on or before the expiration date a request, by or on behalf of the licensee, for such renewal accompanied by payment of the renewal fee as specified in RCW 48.14.010.

(5) If the request and fee for renewal of an insurance producer's, title insurance agent's, or adjuster's license are filed with the commissioner prior to expiration of the existing license, the licensee may continue to act under such license, unless sooner revoked or suspended, until the issuance of a renewal license, or until the expiration of fifteen days after the commissioner has refused to renew the license and has mailed notification of such refusal to the licensee. If the request and fee for the license renewal are not received by the expiration date, the authority conferred by the license ends on the expiration date.

(6) If the request for renewal of an insurance producer's, title insurance agent's, or adjuster's license and payment of the fee are not received by the commissioner prior to the expiration date, the applicant for renewal shall pay to the commissioner, in addition to the renewal fee, a surcharge as follows:

(a) For the first thirty days or part thereof of delinquency, the surcharge is fifty percent of the renewal fee;

(b) For the next thirty days or part thereof of delinquency, the surcharge is one hundred percent of the renewal fee.

(7) If the request for renewal of an insurance producer's, title insurance agent's, or adjuster's license and fee for the renewal are received by the commissioner after sixty days but prior to twelve months after the expiration date, the application is for reinstatement of the license and the applicant for reinstatement must pay to the commissioner the license fee and a surcharge of two hundred percent of the license fee.

(8) Subsections (6) and (7) of this section do not exempt any person from any penalty provided by law for transacting business without a valid and subsisting license or appointment.

(9) An individual insurance producer, title insurance agent, or adjuster who allows his or her license to lapse may, within twelve months after the expiration date, reinstate the same license without the necessity of passing a written examination.

(10) A licensed insurance producer who is unable to comply with license renewal procedures due to military service or some other extenuating circumstance such as a long-term medical disability, may request a waiver of those procedures. The producer may also request a waiver of any examination requirement or any other fine or sanction imposed for failure to comply with renewal procedures.

(11) The license shall contain the licensee's name, address, personal identification number, and the date of issuance, lines of authority, expiration date, and any other information the commissioner deems necessary.

(12) Licensees shall inform the commissioner by any means acceptable to the commissioner of a change of address within thirty days of the change. Failure to timely inform the commissioner of a change in legal name or address may result in a penalty under either RCW 48.17.530 or 48.17.560, or both."

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

Amendment (990) 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 Kirby 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 Engrossed House Bill No. 2457.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2457, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

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

Excused: Representatives Kelley and Kenney.

ENGROSSED HOUSE BILL NO. 2457, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2473, by Representatives Green, Hinkle, Johnson, Van De Wege, Ryu and Roberts

Creating a medication assistant endorsement for certified nursing assistants who work in nursing homes.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2473 was substituted for House Bill No. 2473 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2473 was read the second time.

Representative Green moved the adoption of amendment (1005).

On page 3, line 20, after "(2)" strike "(a)"

On page 3, at the beginning of line 22, strike "(i)" and insert "(a)"

On page 3, at the beginning of line 24, strike "(ii)" and insert "(b)"

On page 3, at the beginning of line 28, strike "(iii)" and insert "(c)"

On page 3, beginning on line 30, strike all of subsection (b)

On page 3, line 35, after "home;" strike "and"

On page 4, line 4, after "nurse" insert "; and"

(c) If, while functioning as a medication assistant, the primary responsibility of the medication assistant is performing the additional tasks. The commission may adopt rules regarding the medication assistant's primary responsibilities and limiting the duties, within the scope of practice of a nursing assistant-certified, that a nursing assistant-certified may perform while functioning as a medication assistant"

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

Amendment (1005) 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 Hinkle spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2473.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2473, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Kelley and Kenney.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2473, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2502, by Representatives Hansen and Appleton

Modifying exceptions to the compensating tax provisions for removal from forest land classification to more closely parallel open space property tax provisions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2502 was substituted for House Bill No. 2502 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2502 was read the second time.

Representative Hansen moved the adoption of amendment (993).

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 84.33.140 and 2009 c 354 s 2, 2009 c 255 s 3, and 2009 c 246 s 2 are each reenacted and amended to read as follows:

(1) When land has been designated as forest land under RCW 84.33.130, a notation of the designation (~~shall~~) must be made each year upon the assessment and tax rolls. A copy of the notice of approval together with the legal description or assessor's parcel numbers for the land (~~shall~~) must, at the expense of the applicant, be filed by the assessor in the same manner as deeds are recorded.

(2) In preparing the assessment roll as of January 1, 2002, for taxes payable in 2003 and each January 1st thereafter, the assessor (~~shall~~) must list each parcel of designated forest land at a value with respect to the grade and class provided in this subsection and adjusted as provided in subsection (3) of this section. The assessor (~~shall~~) must compute the assessed value of the land using the same assessment ratio applied generally in computing the assessed value of other property in the county. Values for the several grades of bare forest land (~~shall be~~) are as follows:

LAND GRADE	OPERABILITY CLASS	VALUES PER ACRE
	1	\$234
1	2	229
	3	217
	4	157
	1	198
2	2	190
	3	183
	4	132
	1	154
3	2	149
	3	148
	4	113
	1	117
4	2	114
	3	113
	4	86
	1	85
5	2	78
	3	77
	4	52
	1	43
6	2	39
	3	39
	4	37
	1	21
7	2	21
	3	20
	4	20
8		1

of January 1, 2002. For the adjustment to be made on or before December 31, 2001, for use in the 2002 assessment year, the department ~~((shall))~~ must:

(a) Divide the aggregate value of all timber harvested within the state between July 1, 1996, and June 30, 2001, by the aggregate harvest volume for the same period, as determined from the harvester excise tax returns filed with the department under RCW 84.33.074; and

(b) Divide the aggregate value of all timber harvested within the state between July 1, 1995, and June 30, 2000, by the aggregate harvest volume for the same period, as determined from the harvester excise tax returns filed with the department under RCW 84.33.074; and

(c) Adjust the forest land values contained in subsection (2) of this section by a percentage equal to one-half of the percentage change in the average values of harvested timber reflected by comparing the resultant values calculated under (a) and (b) of this subsection.

(4) For the adjustments to be made on or before December 31, 2002, and each succeeding year thereafter, the same procedure described in subsection (3) of this section ~~((shall))~~ must be followed using harvester excise tax returns filed under RCW 84.33.074. However, this adjustment ~~((shall))~~ must be made to the prior year's adjusted value, and the five-year periods for calculating average harvested timber values ~~((shall))~~ must be successively one year more recent.

(5) Land graded, assessed, and valued as forest land ~~((shall))~~ must continue to be so graded, assessed, and valued until removal of designation by the assessor upon the occurrence of any of the following:

(a) Receipt of notice from the owner to remove the designation;

(b) Sale or transfer to an ownership making the land exempt from ad valorem taxation;

(c) Sale or transfer of all or a portion of the land to a new owner, unless the new owner has signed a notice of forest land designation continuance, except transfer to an owner who is an heir or devisee of a deceased owner, ~~((shall))~~ does not, by itself, result in removal of designation. The signed notice of continuance ~~((shall))~~ must be attached to the real estate excise tax affidavit provided for in RCW 82.45.150. The notice of continuance ~~((shall))~~ must be on a form prepared by the department. If the notice of continuance is not signed by the new owner and attached to the real estate excise tax affidavit, all compensating taxes calculated under subsection (11) of this section ~~((shall-become))~~ are due and payable by the seller or transferor at time of sale. The auditor ~~((shall))~~ may not accept an instrument of conveyance regarding designated forest land for filing or recording unless the new owner has signed the notice of continuance or the compensating tax has been paid, as evidenced by the real estate excise tax stamp affixed thereto by the treasurer. The seller, transferor, or new owner may appeal the new assessed valuation calculated under subsection (11) of this section to the county board of equalization in accordance with the provisions of RCW 84.40.038. Jurisdiction is hereby conferred on the county board of equalization to hear these appeals;

(d) Determination by the assessor, after giving the owner written notice and an opportunity to be heard, that:

(i) The land is no longer primarily devoted to and used for growing and harvesting timber. However, land ~~((shall))~~ may not be removed from designation if a governmental agency, organization, or other recipient identified in subsection (13) or (14) of this section as exempt from the payment of compensating tax has manifested its intent in writing or by other official action to acquire a property interest in the designated forest land by means of a transaction that qualifies for an exemption under subsection (13) or (14) of this section. The governmental agency, organization, or recipient ~~((shall))~~ must annually provide the assessor of the county in which the land is

(3) On or before December 31, 2001, the department ~~((shall))~~ must adjust by rule under chapter 34.05 RCW, the forest land values contained in subsection (2) of this section in accordance with this subsection, and ~~((shall))~~ must certify the adjusted values to the assessor who will use these values in preparing the assessment roll as

located reasonable evidence in writing of the intent to acquire the designated land as long as the intent continues or within sixty days of a request by the assessor. The assessor may not request this evidence more than once in a calendar year;

(ii) The owner has failed to comply with a final administrative or judicial order with respect to a violation of the restocking, forest management, fire protection, insect and disease control, and forest debris provisions of Title 76 RCW or any applicable rules under Title 76 RCW; or

(iii) Restocking has not occurred to the extent or within the time specified in the application for designation of such land.

(6) Land ~~((shall))~~ may not be removed from designation if there is a governmental restriction that prohibits, in whole or in part, the owner from harvesting timber from the owner's designated forest land. If only a portion of the parcel is impacted by governmental restrictions of this nature, the restrictions cannot be used as a basis to remove the remainder of the forest land from designation under this chapter. For the purposes of this section, "governmental restrictions" includes: (a) Any law, regulation, rule, ordinance, program, or other action adopted or taken by a federal, state, county, city, or other governmental entity; or (b) the land's zoning or its presence within an urban growth area designated under RCW 36.70A.110.

(7) The assessor ~~((shall have))~~ has the option of requiring an owner of forest land to file a timber management plan with the assessor upon the occurrence of one of the following:

(a) An application for designation as forest land is submitted; or

(b) Designated forest land is sold or transferred and a notice of continuance, described in subsection (5)(c) of this section, is signed.

(8) If land is removed from designation because of any of the circumstances listed in subsection (5)(a) through (c) of this section, the removal ~~((shall apply))~~ applies only to the land affected. If land is removed from designation because of subsection (5)(d) of this section, the removal ~~((shall apply))~~ applies only to the actual area of land that is no longer primarily devoted to the growing and harvesting of timber, without regard to any other land that may have been included in the application and approved for designation, as long as the remaining designated forest land meets the definition of forest land contained in RCW 84.33.035.

(9) Within thirty days after the removal of designation as forest land, the assessor ~~((shall))~~ must notify the owner in writing, setting forth the reasons for the removal. The seller, transferor, or owner may appeal the removal to the county board of equalization in accordance with the provisions of RCW 84.40.038.

(10) Unless the removal is reversed on appeal a copy of the notice of removal with a notation of the action, if any, upon appeal, together with the legal description or assessor's parcel numbers for the land removed from designation ~~((shall))~~ must, at the expense of the applicant, be filed by the assessor in the same manner as deeds are recorded and a notation of removal from designation ~~((shall))~~ must immediately be made upon the assessment and tax rolls. The assessor ~~((shall))~~ must revalue the land to be removed with reference to its true and fair value as of January 1st of the year of removal from designation. Both the assessed value before and after the removal of designation ~~((shall))~~ must be listed. Taxes based on the value of the land as forest land ~~((shall be))~~ are assessed and payable up until the date of removal and taxes based on the true and fair value of the land ~~((shall be))~~ are assessed and payable from the date of removal from designation.

(11) Except as provided in subsection (5)(c), (13), or (14) of this section, a compensating tax ~~((shall be))~~ is imposed on land removed from designation as forest land. The compensating tax ~~((shall be))~~ is due and payable to the treasurer thirty days after the owner is notified of the amount of this tax. As soon as possible after the land is removed from designation, the assessor ~~((shall))~~ must compute the amount of compensating tax and mail a notice to the owner of the amount of compensating tax owed and the date on which payment of

this tax is due. The amount of compensating tax ~~((shall be))~~ is equal to the difference between the amount of tax last levied on the land as designated forest land and an amount equal to the new assessed value of the land multiplied by the dollar rate of the last levy extended against the land, multiplied by a number, in no event greater than nine, equal to the number of years for which the land was designated as forest land, plus compensating taxes on the land at forest land values up until the date of removal and the prorated taxes on the land at true and fair value from the date of removal to the end of the current tax year.

(12) Compensating tax, together with applicable interest thereon, ~~((shall))~~ becomes a lien on the land, which ~~((shall attach))~~ attaches at the time the land is removed from designation as forest land and ~~((shall have))~~ has priority ~~((to))~~ and ~~((shall))~~ must be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation, or responsibility to or with which the land may become charged or liable. The lien may be foreclosed upon expiration of the same period after delinquency and in the same manner provided by law for foreclosure of liens for delinquent real property taxes as provided in RCW 84.64.050. Any compensating tax unpaid on its due date ~~((shall))~~ will thereupon become delinquent. From the date of delinquency until paid, interest ~~((shall be))~~ is charged at the same rate applied by law to delinquent ad valorem property taxes.

(13) The compensating tax specified in subsection (11) of this section ~~((shall))~~ may not be imposed if the removal of designation under subsection (5) of this section resulted solely from:

(a) Transfer to a government entity in exchange for other forest land located within the state of Washington;

(b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power;

(c) A donation of fee title, development rights, or the right to harvest timber, to a government agency or organization qualified under RCW 84.34.210 and 64.04.130 for the purposes enumerated in those sections, or the sale or transfer of fee title to a governmental entity or a nonprofit nature conservancy corporation, as defined in RCW 64.04.130, exclusively for the protection and conservation of lands recommended for state natural area preserve purposes by the natural heritage council and natural heritage plan as defined in chapter 79.70 RCW or approved for state natural resources conservation area purposes as defined in chapter 79.71 RCW. At such time as the land is not used for the purposes enumerated, the compensating tax specified in subsection (11) of this section ~~((shall be))~~ is imposed upon the current owner;

(d) The sale or transfer of fee title to the parks and recreation commission for park and recreation purposes;

(e) Official action by an agency of the state of Washington or by the county or city within which the land is located that disallows the present use of the land;

(f) The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120;

(g) The creation, sale, or transfer of a conservation easement of private forest lands within unconfined channel migration zones or containing critical habitat for threatened or endangered species under RCW 76.09.040;

(h) The sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as classified forest land, designated as forest land under this chapter, or classified under chapter 84.34 RCW continuously since 1993. The date of death shown on a death certificate is the date used for the purposes of this subsection (13)(h); or

(i) The discovery that the land was designated under this chapter in error through no fault of the owner. For purposes of this subsection (13)(i), "fault" means a knowingly false or misleading statement, or other act or omission not in good faith, that contributed

to the approval of designation under this chapter or the failure of the assessor to remove the land from designation under this chapter.

(ii) For purposes of this subsection (13), the discovery that land was designated under this chapter in error through no fault of the owner is not the sole reason for removal of designation under subsection (5) of this section if an independent basis for removal exists. An example of an independent basis for removal includes the land no longer being devoted to and used for growing and harvesting timber.

(14) In a county with a population of more than six hundred thousand inhabitants or in a county with a population of at least two hundred forty-five thousand inhabitants that borders Puget Sound as defined in RCW 90.71.010, the compensating tax specified in subsection (11) of this section (~~shall~~) may not be imposed if the removal of designation as forest land under subsection (5) of this section resulted solely from:

(a) An action described in subsection (13) of this section; or

(b) A transfer of a property interest to a government entity, or to a nonprofit historic preservation corporation or nonprofit nature conservancy corporation, as defined in RCW 64.04.130, to protect or enhance public resources, or to preserve, maintain, improve, restore, limit the future use of, or otherwise to conserve for public use or enjoyment, the property interest being transferred. At such time as the property interest is not used for the purposes enumerated, the compensating tax (~~shall be~~) is imposed upon the current owner.

Sec. 2. RCW 84.33.145 and 2009 c 354 s 4 are each amended to read as follows:

(1) If no later than thirty days after removal of designation the owner applies for classification under RCW 84.34.020 (1), (2), or (3), then the designated forest land (~~shall~~) may not be considered removed from designation for purposes of the compensating tax under RCW 84.33.140 until the application for current use classification under chapter 84.34 RCW is denied or the property is removed from classification under RCW 84.34.108. Upon removal of classification under RCW 84.34.108, the amount of compensating tax due under this chapter (~~shall be~~) is equal to:

(a) The difference, if any, between the amount of tax last levied on the land as designated forest land and an amount equal to the new assessed valuation of the land when removed from classification under RCW 84.34.108 multiplied by the dollar rate of the last levy extended against the land, multiplied by

(b) A number equal to:

(i) The number of years the land was designated under this chapter, if the total number of years the land was designated under this chapter and classified under chapter 84.34 RCW is less than ten; or

(ii) Ten minus the number of years the land was classified under chapter 84.34 RCW, if the total number of years the land was designated under this chapter and classified under chapter 84.34 RCW is at least ten.

(2) Nothing in this section authorizes the continued designation under this chapter or defers or reduces the compensating tax imposed upon forest land not transferred to classification under subsection (1) of this section which does not meet the definition of forest land under RCW 84.33.035. Nothing in this section affects the additional tax imposed under RCW 84.34.108.

(3) In a county with a population of more than six hundred thousand inhabitants or in a county with a population of at least two hundred forty-five thousand inhabitants that borders Puget Sound as defined in RCW 90.71.010, no amount of compensating tax is due under this section if the removal from classification under RCW 84.34.108 results from a transfer of property described in RCW 84.34.108(6)."

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

Representative Orcutt 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 53 - YEAS; 43 - NAYS; 2 - EXCUSED.

Amendment (993) 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 Hansen 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 Engrossed Substitute House Bill No. 2502.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2502, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Representative Hinkle.

Excused: Representatives Kelley and Kenney.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2502, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2608, by Representatives Kagi, Orwall, Sullivan, Haigh, Maxwell, Kenney and Tharinger

Requiring the department of early learning to develop state early learning guidelines.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2608 was substituted for House Bill No. 2608 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2608 was read the second time.

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

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2608.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2608, and the bill passed the House by the following vote: Yeas, 74; Nays, 22; Absent, 0; Excused, 2.

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

Voting nay: Representatives Ahern, Bailey, Buys, Condotta, Crouse, Haler, Hargrove, Klippert, Kretz, Kristiansen, McCune, Orcutt, Overstreet, Parker, Pearson, Rodne, Schmick, Shea, Short, Smith, Taylor and Zeiger.

Excused: Representatives Kelley and Kenney.

SUBSTITUTE HOUSE BILL NO. 2608, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2643, by Representatives Green, Hinkle, Dickerson, Springer, Goodman and Moeller

Concerning purchase of care in institutions for mental diseases.

The bill was read the second time.

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

Representatives Green and 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. 2643.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2643, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist,

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

Excused: Representatives Kelley and Kenney.

HOUSE BILL NO. 2643, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2748, by Representatives Fitzgibbon, Anderson and Hasegawa

Concerning ferry and flood control zone district functions and taxing authorities. Revised for 1st Substitute: Transferring ferry and flood control zone district functions and taxing authorities to county legislative authorities in counties with a population of one million five hundred thousand or more.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2748 was substituted for House Bill No. 2748 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2748 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 Fitzgibbon and Asay 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. 2748.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2748, and the bill passed the House by the following vote: Yeas, 83; Nays, 13; Absent, 0; Excused, 2.

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

Voting nay: Representatives Ahern, Crouse, Kretz, Kristiansen, McCune, Overstreet, Pearson, Rodne, Schmick, Shea, Short, Smith and Taylor.

Excused: Representatives Kelley and Kenney.

SUBSTITUTE HOUSE BILL NO. 2748, having received the necessary constitutional majority, was declared passed.

THIRD READING

SUBSTITUTE HOUSE BILL NO. 1253, by House Committee on Judiciary (originally sponsored by Representatives Fitzgibbon, Rivers, Pedersen and Rodne).

Revising the uniform interstate family support act.

The bill was read the third time.

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

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 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, 59; Nays, 37; Absent, 0; Excused, 2.

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

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

Excused: Representatives Kelley and Kenney.

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

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

SECOND READING

HOUSE BILL NO. 2553, by Representatives Moscoso, Liias, Upthegrove, Fitzgibbon, Reykdal, Billig, Sells, Appleton, Ryu and Roberts

Concerning nonvoting labor members of public transportation governing bodies.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2553 was substituted for House Bill No. 2553 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2553 was read the second time.

Representative Moscoso moved the adoption of amendment (1006).

On page 2, line 37, after "matters." strike "pending" and insert "potential"

On page 3, line 37, after "matters." strike "pending" and insert "potential"

On page 5, line 17, after "matters." strike "pending" and insert "potential"

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

Amendment (1006) 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 Moscoso and Sells spoke in favor of the passage of the bill.

Representatives Armstrong, Angel and Nealey 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. 2553.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2553, and the bill passed the House by the following vote: Yeas, 54; Nays, 42; Absent, 0; Excused, 2.

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

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

Excused: Representatives Kelley and Kenney.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2553, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2326, by Representatives Jinkins, Ladenburg, Darneille, Fitzgibbon, Upthegrove, Seaquist, Moscoso, Green, Kagi, Billig, Tharinger, Pollet, Wylie, Reykdal, McCoy, Eddy, Hunt and Lytton

Protecting air quality that is impacted by high emitting solid fuel burning devices.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2326 was substituted for House Bill No. 2326 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2326 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 Jinkins, Angel Wilcox and Angel (again) spoke in favor of the passage of the bill.

Representative Short spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2326.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2326, and the bill passed the House by the following vote: Yeas, 66; Nays, 30; Absent, 0; Excused, 2.

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

Voting nay: Representatives Ahern, Armstrong, Bailey, Blake, Buys, Chandler, Condotta, Crouse, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Hinkle, Hurst, Kirby, Klippert, Kretz, Kristiansen, McCune, Orcutt, Overstreet, Parker, Pearson, Rodne, Schmick, Shea, Short, Taylor and Warnick.

Excused: Representatives Kelley and Kenney.

SUBSTITUTE HOUSE BILL NO. 2326, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1313, by Representatives Green, Sells, Reykdal, Morris and Kirby

Regulating soil science and wetland science professions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1313 was substituted for House Bill No. 1313 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1313 was read the second time.

Representative Taylor moved the adoption of amendment (997).

On page 5, line 13 after "Sec. 4" insert "(1)"

On page 5, line 18, after "regulation" insert "except in actions against an agency that is not in compliance with subsection (2) of this section.

(2) An agency, as defined in RCW 42.56.010, that makes determinations related to the delineation of a wetland must either employ a state certified wetland scientist to make the determination or contract with a state certified wetland scientist to make the determination"

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

Representative Kirby 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; 53 - NAYS; 2 - EXCUSED.

Amendment (997) 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 Green and Green again spoke in favor of the passage of the bill.

Representatives Short, Armstrong, Hunt and Taylor spoke against the passage of the bill.

There being no objection, the House deferred action on. SUBSTITUTE HOUSE BILL NO. 1313, and the bill held its place on the third reading calendar.

HOUSE BILL NO. 2349, by Representatives Kretz, Blake, Billig, Short, Hinkle, Upthegrove, Fitzgibbon and McCune

Concerning the management of beavers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2349 was substituted for House Bill No. 2349 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2349 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 Kretz 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 House Bill No. 2349.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2349, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Kelley and Kenney.

SUBSTITUTE HOUSE BILL NO. 2349, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2458, by Representatives Armstrong, Ross and Johnson

Concerning the existing authority to impose a sales and use tax for public facilities districts by providing flexibility in the submittal of the sales and use tax to voters by distressed public facilities districts.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2458 was substituted for House Bill No. 2458 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2458 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 Armstrong, Hunter and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2458.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2458, and the bill passed the House by the following vote: Yeas: 92 Nays: 4 Absent: 0 Excused: 2

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, Goodman, Green, Haigh, Haler, Hansen, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Pollet, Probst,

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

Voting nay: Representatives Anderson, Overstreet, Rodne, and Taylor

Excused: Representatives Kelley and Kenney

SUBSTITUTE HOUSE BILL NO. 2458, having received the necessary constitutional majority, was declared passed.

MESSAGES FROM THE SENATE

February 10, 2012

MR. SPEAKER:

The Senate has passed:

SENATE BILL NO. 6030

SUBSTITUTE SENATE BILL NO. 6423

ENGROSSED SUBSTITUTE SENATE BILL NO. 6512 and the same are herewith transmitted.

Brad Hendrickson, Deputy, Secretary

February 10, 2012

MR. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5159

SECOND SUBSTITUTE SENATE BILL NO. 5343

SUBSTITUTE SENATE BILL NO. 5966

SUBSTITUTE SENATE BILL NO. 5995

SUBSTITUTE SENATE BILL NO. 6025

SUBSTITUTE SENATE BILL NO. 6027

SUBSTITUTE SENATE BILL NO. 6100

SECOND SUBSTITUTE SENATE BILL NO. 6120

SENATE BILL NO. 6172

SECOND SUBSTITUTE SENATE BILL NO. 6263

SUBSTITUTE SENATE BILL NO. 6315

SENATE BILL NO. 6350

SUBSTITUTE SENATE BILL NO. 6421

SUBSTITUTE SENATE JOINT MEMORIAL NO. 8016

and the same are herewith transmitted.

Brad Hendrickson, Deputy, Secretary

February 9, 2012

MR. SPEAKER:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5730

ENGROSSED SUBSTITUTE SENATE BILL NO. 6170

ENGROSSED SUBSTITUTE SENATE BILL NO. 6227

and the same are herewith transmitted.

Brad Hendrickson, Deputy, Secretary

THIRD READING**RECONSIDERATION**

There being no objection, the House immediately reconsidered the vote by which SUBSTITUTE HOUSE BILL NO. 2458 passed the House.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2458 on reconsideration.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2458, on reconsideration and the bill passed the House by the following vote: Yeas, 89; Nays, 7; Absent, 0; Excused, 2.

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

Voting nay: Representatives Anderson, Blake, Crouse, Overstreet, Rodne, Shea and Taylor.

Excused: Representatives Kelley and Kenney.

SUBSTITUTE HOUSE BILL NO. 2458, on reconsideration having received the necessary constitutional majority, was declared passed.

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

SECOND READING

HOUSE BILL NO. 2232, by Representatives McCoy, Hunt, Morris, Haigh, Lytton, Billig, Appleton, Fitzgibbon, Eddy, Sells, Jinkins, Stanford, Hasegawa, Pollet, Ormsby, Wylie, Santos, Roberts and Miloscia

Establishing a government-to-government relationship between state government and federally recognized Indian tribes.

The bill was read the second time.

Representative Anderson moved the adoption of amendment (912).

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) Under federal law, Indian nations are federally dependent domestic sovereigns that are distinct, independent political entities legally separate from the state and owing no allegiance to the state. Indian nations are uniquely empowered to generate income for their communities through taxing and other revenue mechanisms, such as operating casinos, that are not available to constitutionally authorized political subdivisions of the state. Indian nations do not pay property tax on land held in trust by the federal government nor on nonreservation land used for essential government services. Tribally owned businesses are not subject to sales and excise taxes on transactions conducted by tribal members on tribal land. The state of Washington, through the Centennial Accord, has agreed to treat Indian nations on a sovereign-to-sovereign basis.

(2) The legislature finds that many statutory provisions treat Indian nations not as independent sovereigns but as state-dependent entities, which they are not, creating a clear conflict in the application of state laws. Indian nations have numerous independent sources of

revenue. In 2011, the tribes generated nearly one billion nine hundred fifty-four million dollars in net gambling receipts. The Washington state office of financial management estimates that less than two percent of the state's population is Native American.

(3) In this time when the state faces significant continuing budget deficits and must make funding reductions to service programs it is providing to all its citizens, the legislature has made policy changes in many areas to require those that have independent sources of revenue to pay for the state services they use. The legislature intends to clarify the sovereign legal standing of Indian nations with respect to the state of Washington and the eligibility of Indian nations to apply for and receive state-provided program resources contingent upon sovereign-to-sovereign revenue sharing agreements to help defray the costs of such program services. The legislature intends the state to eventually govern sovereign-to-sovereign relations with each tribe through single compacts with individual tribes that address the multitude of issues between each tribe and the state instead of the multitude of compacts on select issues created today.

NEW SECTION. Sec. 2. (1) To be eligible to apply for and receive money from programs identified in section 3 of this act, a tribal government of a federally recognized Indian tribe located within the state must have a sovereign-to-sovereign agreement with the state that provides for the state to receive remuneration from the Indian nation for the privileges provided by these state programs and services in an amount sufficient so that the state receives a benefit for extending the privilege of state programs and services to federally recognized Indian nations.

(2) The requirements and conditions of this section apply unless the application of a requirement or condition is prohibited by federal law.

NEW SECTION. Sec. 3. (1) State-funded programs subject to the conditions of section 2 of this act include but are not limited to:

- (a) Public facilities loans and grants from the community economic revitalization board;
- (b) The local infrastructure financing tool program;
- (c) Bond funding from the state and local improvements revolving account for:
 - (i) Waste disposal facilities;
 - (ii) Water supply facilities;
 - (iii) Recreation areas and facilities; and
 - (iv) Health and social service facilities;
- (d) Department of agriculture programs for:
 - (i) Funding and technical assistance under the department's pest program;
 - (ii) Surface water monitoring; and
 - (iii) Food safety;
- (e) The building communities fund program;
- (f) The tourism competitive grant program;
- (g) Programs funded under the recreation and conservation office;
- (h) Lake Roosevelt Columbia partnership agreements;
- (i) Toxic clean-up programs under the department of ecology;
- (j) The centennial clean water program;
- (k) Public health emergency preparedness and response under the department of health;
 - (l) Grant programs under the emergency management division of the military department;
 - (m) The competitive grant program for economic development activity designed to further regional cluster growth administered by the department of commerce;
 - (n) Grants and loans through the department of transportation for planning, acquisition, construction, improvement, and maintenance or operation of an airport;
 - (o) Funds received from counties using the county road administration board ferry capital improvement program;
 - (p) State maintenance funds to eligible tribes under the temporary assistance for needy families program;

- (q) Housing-based supportive services for homeless families;
- (r) Funds available through housing assistance programs and the Washington housing trust fund;
- (s) Affordable housing programs and tax exemptions for tribal and intertribal housing authorities;
- (t) Funds from the home visiting services account;
- (u) Funds from the American Indian scholarship endowment fund;
- (v) Grants made available for heritage capital projects;
- (w) Funding from the forest and fish support account;
- (x) State funds provided through the department of social and health services as follows:
 - (i) Funds by the juvenile rehabilitation administration;
 - (ii) Funds provided for outpatient and prevention services and administration of those programs;
 - (iii) Funds provided as part of the mental health block grant;
 - (iv) Programs through the children's administration that foster independent living and life skills; and
 - (v) Funds provided for alcohol, drug, and problem-gambling treatment unless the tribe has made contributions to the state through provisions of Appendix X2 to the tribal-state gaming compacts;
 - (y) Services provided by the Washington state patrol in Indian country or to Indian members on their property; and
 - (z) State programs or funding provided through the superintendent of public instruction, including:
 - (i) The building bridges dropout prevention grants; and
 - (ii) Services provided by the office of native education.

(2) Nothing in this section or section 2 of this act prohibits allowing access to federally recognized Indian tribes located within the state and their members to federally provided funding for which they are otherwise eligible.

(3) State agencies may require compliance with section 2 of this act for Indian nations seeking access to state-funded programs not listed in subsection (1) of this section that come into existence after the effective date of this section unless prohibited by statute.

(4) Nothing in this chapter prevents tribal citizens as individuals from applying for and receiving state services that they are eligible to receive under the law.

NEW SECTION. Sec. 4. (1) The governor may enter an agreement with an Indian tribe to receive payment for the privilege of participating in state programs under section 2 of this act subject to the conditions of this section.

(2) The agreement with each Indian tribe must be for an amount sufficient to provide the state with a benefit for extending the privilege of state programs and services to federally recognized Indian tribes. The agreement must specify that payments are made to the state treasurer on a quarterly basis.

(3) A sovereign-to-sovereign agreement entered into pursuant to this chapter must include:

- (a) Mechanisms to allow the state auditor and state agencies to conduct audits of recipients of state services in the same manner as they would for local governments or other program participants; and
- (b) A provision that agreements are public records and must be disclosed upon request and posted on an appropriate state web site.

NEW SECTION. Sec. 5. The Indian nation eligibility for state services account is created in the state treasury. All receipts from the agreements in section 4 of this act must be deposited into the account. The state treasurer must track amounts received from individual Indian tribes and report amounts received quarterly to the department of revenue. The state treasurer must transfer on July 1st of each year the entire fund balance of the account into the general fund.

NEW SECTION. Sec. 6. The state may consent to the jurisdiction of the federal courts in actions brought by an Indian tribe seeking enforcement of an agreement under section 4 of this act, conditioned upon the Indian tribe providing similar consent in the agreement and waiver of claims of sovereign immunity that would

prevent enforcement of any provisions of this chapter or in relation to state government services provided pursuant to an agreement under section 4 of this act.

Sec. 7. RCW 43.06.455 and 2001 c 235 s 2 are each amended to read as follows:

(1) The governor may enter into cigarette tax contracts concerning the sale of cigarettes. All cigarette tax contracts ~~((shall))~~ must meet the requirements for cigarette tax contracts under this section. Except for cigarette tax contracts under RCW 43.06.460, the rates, revenue sharing, and exemption terms of a cigarette tax contract are not effective unless authorized in a bill enacted by the legislature.

(2) Cigarette tax contracts ~~((shall be))~~ are in regard to retail sales in which Indian retailers make delivery and physical transfer of possession of the cigarettes from the seller to the buyer within Indian country, and are not in regard to transactions by non-Indian retailers. In addition, contracts ~~((shall))~~ must provide that retailers ~~((shall))~~ do not sell or give, or permit to be sold or given, cigarettes to any person under the age of eighteen years.

(3) A cigarette tax contract with a tribe ~~((shall))~~ must provide for a tribal cigarette tax in lieu of all state cigarette taxes and state and local sales and use taxes on sales of cigarettes in Indian country by Indian retailers. The tribe may allow an exemption for sales to tribal members.

(4) Cigarette tax contracts ~~((shall))~~ must provide that all cigarettes possessed or sold by a retailer ~~((shall))~~ bear a cigarette stamp obtained by wholesalers from a bank or other suitable stamp vendor and applied to the cigarettes. The procedures to be used by the tribe in obtaining tax stamps must include a means to assure that the tribal tax will be paid by the wholesaler obtaining such cigarettes. Tribal stamps must have serial numbers or some other discrete identification so that each stamp can be traced to its source.

(5) Cigarette tax contracts ~~((shall))~~ must provide that retailers ~~((shall))~~ purchase cigarettes only from:

(a) Wholesalers or manufacturers licensed to do business in the state of Washington;

(b) Out-of-state wholesalers or manufacturers who, although not licensed to do business in the state of Washington, agree to comply with the terms of the cigarette tax contract, are certified to the state as having so agreed, and who do in fact so comply. However, the state may in its sole discretion exercise its administrative and enforcement powers over such wholesalers or manufacturers to the extent permitted by law;

(c) A tribal wholesaler that purchases only from a wholesaler or manufacturer described in (a), (b), or (d) of this subsection; and

(d) A tribal manufacturer.

(6) Cigarette tax contracts ~~((shall))~~ must be for renewable periods of no more than eight years. A renewal may not include a renewal of the phase-in period. For renewals occurring after the effective date of this section, any agreement must include a provision requiring the tribe to provide for the state to receive remuneration from the Indian nation for the privileges provided by these state programs and services in an amount sufficient so that the state receives a benefit for extending the privilege of state programs and services to federally recognized Indian nations.

(7) Cigarette tax contracts ~~((shall))~~ must include provisions for compliance, such as transport and notice requirements, inspection procedures, stamping requirements, recordkeeping, and audit requirements.

(8) Tax revenue retained by a tribe must be used for essential government services. Use of tax revenue for subsidization of cigarette and food retailers is prohibited.

(9) The cigarette tax contract may include provisions to resolve disputes using a nonjudicial process, such as mediation.

(10) The governor may delegate the power to negotiate cigarette tax contracts to the department of revenue. The department of

revenue (~~shall~~) must consult with the liquor control board during the negotiations.

(11) Information received by the state or open to state review under the terms of a contract is subject to the provisions of RCW 82.32.330.

(12) It is the intent of the legislature that the liquor control board and the department of revenue continue the division of duties and shared authority under chapter 82.24 RCW and therefore the liquor control board is responsible for enforcement activities that come under the terms of chapter 82.24 RCW.

(13) Each cigarette tax contract (~~shall~~) must include a procedure for notifying the other party that a violation has occurred, a procedure for establishing whether a violation has in fact occurred, an opportunity to correct such violation, and a provision providing for termination of the contract should the violation fail to be resolved through this process, such termination subject to mediation should the terms of the contract so allow. A contract (~~shall~~) must provide for termination of the contract if resolution of a dispute does not occur within twenty-four months from the time notification of a violation has occurred. Intervening violations do not extend this time period. In addition, the contract (~~shall~~) must include provisions delineating the respective roles and responsibilities of the tribe, the department of revenue, and the liquor control board.

(14) For purposes of this section and RCW 43.06.460, 82.08.0316, 82.12.0316, and 82.24.295:

(a) "Essential government services" means services such as tribal administration, public facilities, fire, police, public health, education, job services, sewer, water, environmental and land use, transportation, utility services, and economic development;

(b) "Indian retailer" or "retailer" means (i) a retailer wholly owned and operated by an Indian tribe, (ii) a business wholly owned and operated by a tribal member and licensed by the tribe, or (iii) a business owned and operated by the Indian person or persons in whose name the land is held in trust; and

(c) "Indian tribe" or "tribe" means a federally recognized Indian tribe located within the geographical boundaries of the state of Washington.

Sec. 8. RCW 84.36.010 and 2010 c 281 s 1 are each amended to read as follows:

(1) All property belonging exclusively to the United States, the state, or any county or municipal corporation subject to subsection (3) of this section; all property belonging exclusively to any federally recognized Indian tribe located in the state, if that property is used exclusively for essential government services; all state route number 16 corridor transportation systems and facilities constructed under chapter 47.46 RCW; all property under a financing contract pursuant to chapter 39.94 RCW or recorded agreement granting immediate possession and use to the public bodies listed in this section or under an order of immediate possession and use pursuant to RCW 8.04.090; and, for a period of forty years from acquisition, all property of a community center; is exempt from taxation. All property belonging exclusively to a foreign national government is exempt from taxation if that property is used exclusively as an office or residence for a consul or other official representative of the foreign national government, and if the consul or other official representative is a citizen of that foreign nation.

(2) For the purposes of this section the following definitions apply unless the context clearly requires otherwise.

(a) "Community center" means property, including a building or buildings, determined to be surplus to the needs of a district by a local school board, and purchased or acquired by a nonprofit organization for the purposes of converting them into community facilities for the delivery of nonresidential coordinated services for community members. The community center may make space available to businesses, individuals, or other parties through the loan or rental of space in or on the property.

(b) "Essential government services" means services such as tribal administration, public facilities, fire, police, public health, education, sewer, water, environmental and land use, transportation, and utility services.

(3) The exemption for a federally recognized Indian tribe located in the state is only allowed for those tribes with a valid sovereign- to-sovereign remuneration agreement under chapter 43.--- RCW (the new chapter created in section 9 of this act).

NEW SECTION. Sec. 9. Sections 1 through 6 of this act constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 10. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 11. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

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

Representative Hunt spoke against the adoption of the amendment.

Amendment (912) 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 McCoy spoke in favor of the passage of the bill.

Representatives Taylor and Anderson 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. 2232.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2232, and the bill passed the House by the following vote: Yeas, 69; Nays, 27; Absent, 0; Excused, 2.

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

Voting nay: Representatives Ahern, Anderson, Angel, Armstrong, Buys, Chandler, Condotta, DeBolt, Fagan, Haler, Hinkle, Hope, Klippert, Kretz, Kristiansen, McCune, Neale, Orcutt, Overstreet, Parker, Pearson, Rodne, Schmick, Shea, Short, Taylor and Walsh.

Excused: Representatives Kelley and Kenney.

HOUSE BILL NO. 2232, 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.

HOUSE BILL NO. 2233, by Representatives McCoy, Hunt, Haigh, Pedersen, Appleton, Morris, Billig, Fitzgibbon, Eddy, Sells, Tharinger, Jinkins, Hasegawa, Pollet, Wylie, Uptegrove and Roberts

Creating a procedure for the state's retrocession of civil and criminal jurisdiction over Indian tribes and Indian country.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2233 was substituted for House Bill No. 2233 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2233 was read the second time.

Representative Overstreet moved the adoption of amendment (918).

On page 2, beginning on line 6, after "process." insert "The governor must make public on the office website any proposed agreements made between the Indian tribe and the affected municipalities pursuant to this subsection at least sixty days prior to final issuance of the governor's formal proclamation. Both notice and the content of any such proposed agreements must be sent to the media, chief judge of the courts, the executive officer, sheriff, prosecutor, and governing body of those counties with territory in the area encompassed by the proposed retrocession. No sooner than twenty days from the date of making the agreement public, and at least ten days prior to issuing a proclamation, the governor must hold a public hearing in the affected counties regarding the proposed retrocession."

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

Representative McCoy spoke against the adoption of the amendment.

Amendment (918) was not adopted.

Representative Taylor moved the adoption of amendment (903).

On page 2, beginning on line 11, after "resolution." insert "During consideration of the proposed retrocession, the governor must secure indemnification from the Indian tribe seeking retrocession and execute an agreement with the tribe holding the state harmless for any harm or damages resulting from the transition from services provided by the state to services provided by the Indian tribe."

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

Representatives Hunt and Appleton spoke against the adoption of the amendment.

Amendment (903) was not adopted.

Representative Taylor moved the adoption of amendment (937).

On page 2, at the beginning of line 7, insert the following:

"(3) In addition to the requirements of subsection (2) of this section, the retrocession resolution must identify the government services currently provided by state or county authorities which will be transferred to the Indian tribe upon approval of the proposed retrocession. The resolution must outline the tribe's plan for the provision of similar services to all citizens within the area subject to retrocession and identify the source of funding for such services. This planning outline must include, at minimum, the following information:

- (a) The number of tribal prosecutors and defenders;
- (b) The number and types of law enforcement officers and personnel;
- (c) The number of judges and their jurisdiction;
- (d) The identification of the tribal courts and their case load capacity;
- (e) The identification of providers and expected services which will be offered in the areas of public service, mental illnesses, juvenile delinquency, adoption, child dependency, and vehicle operation; and
- (f) The identification of any legal subject matter or issue areas that are not covered or addressed by tribal ordinances or statutes, or federal law."

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

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

Representatives McCoy and Appleton spoke against the adoption of the amendment.

Amendment (937) was not adopted.

Representative Taylor moved the adoption of amendment (934).

On page 2, beginning on line 11, after "resolution." insert "The governor must consult with elected officials from the counties, cities, and towns proximately located to the area of the proposed retrocession."

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

Amendment (934) was adopted.

The bill was ordered engrossed.

Representative Taylor moved the adoption of amendment (902).

On page 2, beginning on line 25, after "(5)" insert "During consideration of the tribal retrocession, the governor must secure for all citizens of Washington an agreement from the Indian tribe that it will not claim sovereign immunity preventing government accountability for government services that are transferred from state jurisdiction to the Indian tribe.

(6)"

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

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

Representative McCoy 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 40 - YEAS; 56 - NAYS; 2 - EXCUSED.

Amendment (902) was not adopted.

Representative Taylor moved the adoption of amendment (935).

On page 2, line 25, after "(5)" strike "Within one hundred twenty days of the" and insert "After the"

On page 2, line 30, after "retrocession." insert "The hearings should occur after all pertinent interlocal agreements involving the Indian tribe, local authorities, and/or state authorities related to the proposed retrocession are made public."

On page 2, beginning on line 35, after "retrocession" strike ", but in no event are such legislative recommendations binding on the governor or otherwise of legal effect"

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

Representative McCoy spoke against the adoption of the amendment.

Amendment (935) was not adopted.

Representative Overstreet moved the adoption of amendment (917).

On page 2, beginning on line 37, after "(6)" insert the following:

"(a) If the governor issues a proclamation approving of the proposed retrocession in whole or in part, an election shall be held in the area proposed for retrocession to determine whether the proposed retrocession should occur.

(b) The election on the question of retrocession shall be held at the next special election date specified in RCW 29A.04.330 that occurs sixty or more days after a public hearing on the retrocession is held in the affected communities. The ballots used in the election on the question of retrocession shall contain the words "In favor of the state's retrocession of civil and criminal jurisdiction over the [insert name of the Indian tribe]" and "Against the state's retrocession of civil and criminal jurisdiction over the [insert name of the Indian tribe]" or equivalent words to accurately describe the retrocession question to be decided.

(c) The governor may send a proclamation approving retrocession to the federal government only if a majority of the electors in the area proposed for retrocession cast a ballot in favor of retrocession.

(d) If the vote in favor of retrocession receives forty percent or less of the total vote on the question of retrocession, no new election on the question of retrocession for the area or any portion of the area proposed for retrocession may be held for a period of three years from the date of the election in which retrocession proposition failed.

(7)"

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

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

Representative Morris spoke against the adoption of the amendment.

Amendment (917) was not adopted.

Representative Taylor moved the adoption of amendment (933).

On page 2, beginning on line 37, after "(6)" insert "At any time prior to the governor's submission of the retrocession proclamation to the federal government, a registered voter in the area subject to retrocession may file with the county auditor a notice of intent to file a petition for the recall of the retrocession, subject to a filing fee of \$250. The county auditor must notify the office of the governor of the recall petition notice on the day of receipt. Upon receipt of such notice, the governor is barred from submitting the proclamation to the federal government until the recall process is concluded. The person filing the recall notice has ninety days from the date of filing to collect signatures equal to at least four percent of the total number of votes cast for the office of governor at the last regular state gubernatorial election in the area subject to retrocession. If sufficient qualified signatures are presented to the county auditor, then the county auditor shall notify the office of the governor and proceed to hold a special election to determine whether retrocession shall occur. If a majority of the voters in the area subject to retrocession vote in favor of retrocession or the county auditor determines that a petition is insufficient, the governor may submit a proclamation to the federal government. All election costs are to be paid by the Indian tribe subject to the proposed retrocession.

(7)"

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

Representatives Taylor, Anderson and Taylor (again) spoke in favor of the adoption of the amendment.

Representatives Hunt and McCoy spoke against the adoption of the amendment.

Amendment (933) was not adopted.

Representative Shea moved the adoption of amendment (922).

On page 3, beginning on line 4, after "(7)" insert "A proclamation approving retrocession may not be issued with respect to any Indian tribe with pending court cases involving the state or any of its subdivisions, agencies, contractors, or subsidiaries.

(8)"

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

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

Representative Hunt 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 45 - YEAS; 51 - NAYS; 2 - EXCUSED.

Amendment (922) was not adopted.

Representative Taylor moved the adoption of amendment (936).

On page 3, beginning on line 4, after "(7)" insert "The governor may not issue a proclamation approving retrocession if the Indian tribe does not employ, or have contracts for services from, certified peace officers meeting the requirements of chapter 43.101 RCW. The number of law enforcement personnel to be employed by the tribe following retrocession must be substantially equivalent to the number of such officers provided by state and county authorities for the territory encompassed by the proposed retrocession as of the day the retrocession resolution is submitted to the governor.

(8)"

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

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

Representative Appleton spoke against the adoption of the amendment.

Amendment (936) was not adopted.

Representative McCoy moved the adoption of amendment (904).

On page 3, after line 35, insert the following:

"(10)(a) The provisions of this section do not affect the validity of any retrocession procedure commenced under RCW 37.12.100 through 37.12.140 prior to the effective date of this act.

(b) Any Indian tribe that has commenced but not completed the retrocession procedure authorized in RCW 37.12.100 through 37.12.140 may request retrocession under this section in lieu of completing that procedure.

(c) Any Indian tribe that has completed the retrocession procedure authorized in RCW 37.12.100 through 37.12.140 may use the process authorized in this section to request retrocession of any civil or criminal jurisdiction retained by the state under RCW 37.12.120 or 37.12.010.

(c) The provisions of RCW 37.12.120 are not applicable to a civil and/or criminal retrocession that is accomplished in accordance with the requirements of this section."

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

Amendment (904) 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 McCoy and Hunt spoke in favor of the passage of the bill.

Representatives Taylor, Ross and DeBolt 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. 2233.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2233, and the bill passed the House by the following vote: Yeas, 54; Nays, 42; Absent, 0; Excused, 2.

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

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

Excused: Representatives Kelley and Kenney.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2233, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2442, by Representatives Bailey and Cody

Clarifying when evidence of insurability may be required for medicare supplement insurance policies.

The bill was read the second time.

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

Representatives Bailey and Cody 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. 2442.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2442, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Representative Overstreet.

Excused: Representatives Kelley and Kenney.

HOUSE BILL NO. 2442, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2523, by Representatives Bailey, Cody and Kirby

Regulating insurers and insurance products.

The bill was read the second time.

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

Representatives Bailey and Kirby 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. 2523.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2523, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Kelley and Kenney.

HOUSE BILL NO. 2523, having received the necessary constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 2205, by Representatives Billig, Zeiger, Fitzgibbon, Hudgins, Hunt, Green, Sells, McCoy, Maxwell, Probst, Jinkins, Pettigrew, Darneille, Eddy, Upthegrove, Hope, Ormsby, Blake, Miloscia, Hansen, Goodman, Carlyle, Kagi, Van De Wege, Pedersen, Tharinger, Kenney, Orwall, Moeller, Wylie, Appleton, Ladenburg, Lytton, Reykdal, Stanford, Pollet and Hasegawa

Allowing eligible youth at least sixteen years of age to register to vote.

The bill was read the second time.

With the consent of the house, amendment (964) was withdrawn.

Representative Taylor moved the adoption of amendment (968).

On page 2, after line 5, insert the following:

"(2) To be eligible for registration, any registrant who is under the age of eighteen at the time of registration must provide current, legally valid photo identification as part of the registration process. Such photo identification may include, but is not limited to, any one of the following:

- (a) Washington state driver's license;
- (b) Washington state identification card;
- (c) United States passport; or
- (d) Identification issued by a state or the federal government or any governmental subdivision thereof.

(3)"

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

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

Representative Hunt 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; 53 - NAYS; 2 - EXCUSED.

Amendment (968) was not adopted.

Representative Billig moved the adoption of amendment (963).

On page 2, line 8, after "age" strike "and eligible to vote in" and insert "before"

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

Amendment (963) was adopted.

Representative Anderson moved the adoption of amendment (1007).

On page 2, after line 5, insert the following:

"(2) To be eligible for registration, any registrant who is under the age of eighteen at the time of registration must provide the county auditor with documented proof of citizenship before he or she may be allowed to register. Documented proof of citizenship includes:

- (a) A driver's license number or government issued identification if citizenship is indicated;
- (b) A photocopy of a birth certificate;
- (c) A passport; or
- (d) Naturalization documents or a certificate of naturalization.

(3)"

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

On page 3, after line 11, insert the following:

"(12) Any applicant who is under the age of eighteen at the time of registration must provide the county auditor with documented proof of citizenship before he or she may be allowed to register. Documented proof of citizenship includes:

(a) A driver's license number or government issued identification if citizenship is indicated;

(b) A photocopy of a birth certificate;

(c) A passport; or

(d) Naturalization documents or a certificate of naturalization.

(13)"

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

On page 4, after line 19, insert the following:

"(4) Any applicant who is under the age of eighteen at the time of registration must provide documented proof of citizenship before he or she may be allowed to register. Documented proof of citizenship includes:

(a) A driver's license number or government issued identification if citizenship is indicated;

(b) A photocopy of a birth certificate;

(c) A passport; or

(d) Naturalization documents or a certificate of naturalization.

(5)"

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

On page 5, beginning on line 7, after "transfer" insert "subject to the requirements of subsection (2) of this section"

On page 5, after line 9, insert the following:

"(2) Any applicant who is under the age of eighteen at the time of registration must provide documented proof of citizenship before he or she may be allowed to register. Documented proof of citizenship includes:

(a) A driver's license number or government issued identification if citizenship is indicated;

(b) A photocopy of a birth certificate;

(c) A passport; or

(d) Naturalization documents or a certificate of naturalization.

(3)"

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

Representatives Anderson, Orcutt, Hinkle, Asay and Klippert spoke in favor of the adoption of the amendment.

Representatives Hunt and Hurst spoke against the adoption of the amendment.

Amendment (1007) was not adopted.

Representative Overstreet moved the adoption of amendment (984).

On page 2, line 9, after "(3)" insert "(a)"

On page 2, after line 11, insert the following:

"(b) The confirmation notice must include notice to the registrant that he or she must respond with a signed declaration submitted under penalty of perjury stating the address of the current legal residence of the registrant. The signature on the declaration must be verified against the signature on the registration application. If the signature cannot be verified, the county auditor should provide notice to the registrant of any such discrepancy.

(c) Except for a registrant who registers as a military voter, if the registrant fails to respond to the confirmation notice or the signature cannot be verified as required under this section, then no ballot shall be sent to the registrant.

(d) Upon receiving acceptable verification, the county auditor may issue a ballot to the registrant."

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

Representative Billig spoke against the adoption of the amendment.

Amendment (984) was not adopted.

Representative Billig moved the adoption of amendment (989).

On page 2, beginning on line 13, after "section." insert "In promulgating such rules, the secretary of state should endeavor to maintain an accurate record of the current residential addresses of registrants."

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

Amendment (989) was adopted.

Representative Zeiger moved the adoption of amendment (985).

On page 5, after line 13, insert the following:

"NEW SECTION. Sec. 6. This act takes effect July 1, 2013."

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

Amendment (985) 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 Billig and Liias spoke in favor of the passage of the bill.

Representatives Taylor, DeBolt, Overstreet and Armstrong spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2205.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2205, and the bill passed the House by the following vote: Yeas, 56; Nays, 40; Absent, 0; Excused, 2.

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

Excused: Representatives Kelley and Kenney.

ENGROSSED HOUSE BILL NO. 2205, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2601, by Representatives Eddy, Liias, Ryu, Ladenburg and Moscoso

Improving public transit through the creation of transit service overlay zones.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2601 was substituted for House Bill No. 2601 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2601 was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2601.

MOTIONS

On motion of Representative Hinkle, Representative Rodne was excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2601, and the bill passed the House by the following vote: Yeas, 60; Nays, 35; Absent, 0; Excused, 3.

Voting yea: Representatives Appleton, Asay, Billig, Blake, Carlyle, Clibborn, Cody, Dammeier, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Goodman, Green, Haigh, Hansen, Harris, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy,

Miloscia, Moeller, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Probst, Reykdal, Rivers, Roberts, Ross, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Wylie, Zeiger and Mr. Speaker.

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

Excused: Representatives Kelley, Kenney and Rodne.

SUBSTITUTE HOUSE BILL NO. 2601, having received the necessary constitutional majority, was declared passed.

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

There being no objection, the Committee on Rules was relieved of HOUSE BILL NO. 2604 and the bill was placed on the second reading calendar:

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., February 16, 2012, the 34th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

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