

## SIXTY THIRD LEGISLATURE - SECOND SPECIAL SESSION

**SIXTEENTH DAY**

House Chamber, Olympia, Thursday, June 27, 2013

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, Leanne Horn and Maxima Patashnik. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Ed Orcutt, 20th District, Washington.

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

**MESSAGE FROM THE SENATE**

June 26, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5891  
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5912  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5913  
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

**INTRODUCTIONS AND FIRST READING**HB 2081 by Representative Carlyle

AN ACT Relating to tax preferences; and creating a new section.

Referred to Committee on Finance.

ESSB 5891 by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Hargrove)

AN ACT Relating to state technology expenditures; amending RCW 43.41A.025, 39.26.100, 43.41A.010, 43.88.092, and 42.56.420; adding a new section to chapter 43.41 RCW; adding a new section to chapter 43.41A RCW; and creating new sections.

Referred to Committee on Government Operations &amp; Elections.

E2SSB 5912 by Senate Committee on Ways & Means (originally sponsored by Senators Padden, Kline and Conway)

AN ACT Relating to driving under the influence of intoxicating liquor or drugs; amending RCW 2.28.175, 3.66.067, 3.66.068, 3.50.320, 3.50.330, 35.20.255, 9.94A.525,

43.43.395, 46.25.090, 46.25.110, 46.25.120, 46.68.340, 9.94A.501, 46.61.5249, 46.20.270, 46.61.5058, 46.20.720, 46.20.385, 10.05.140, and 4.24.545; reenacting and amending RCW 46.61.5055, 10.31.100, 46.20.308, and 9.94A.535; adding a new section to chapter 10.21 RCW; adding new sections to chapter 36.28A RCW; adding a new section to chapter 43.43 RCW; creating new sections; prescribing penalties; making appropriations; providing an effective date; and providing expiration dates.

ESSB 5913 by Senate Committee on Ways & Means (originally sponsored by Senator Becker)

AN ACT Relating to a hospital safety net assessment and quality incentive program for increased hospital payments to improve health care access for the citizens of Washington; amending RCW 74.60.005, 74.60.010, 74.60.020, 74.60.030, 74.60.050, 74.60.070, 74.60.080, 74.60.090, 74.60.100, 74.60.110, 74.60.120, 74.60.130, 74.09.522, 74.60.140, 74.60.150, 74.60.900, and 74.60.901; adding a new section to chapter 74.60 RCW; adding a new section to chapter 74.09 RCW; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

There being no objection, HOUSE BILL NO. 2081 was held on first reading, and ENGROSSED SUBSTITUTE SENATE BILL NO. 5891, ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5912, and ENGROSSED SUBSTITUTE SENATE BILL NO. 5913 were read the first time, and under suspension of the rules, were placed on the second reading calendar.

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

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

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE  
BILL NO. 1971  
HOUSE BILL NO. 2044

**MOTION**

Having voted on the prevailing side, Representative Liias moved to reconsider the vote by which ENGROSSED SUBSTITUTE HOUSE BILL NO. 1954 failed to pass the House.

Representatives Liias spoke in favor of the adoption of the motion.

Representatives Wilcox spoke against the adoption of the motion.

**MOTIONS**

On motion of Representative Van De Wege, Representative Takko was excused. On motion of Representative Harris, Representatives Crouse, Hope, Johnson and Rodne were excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the motion to reconsider the vote by which Engrossed Substitute House Bill No. 1954 failed to pass the House.

**ROLL CALL**

The Clerk called the roll on the motion to reconsider the vote by which Engrossed Substitute House Bill No. 1954 failed to pass the House, and the motion was adopted by the following vote: Yeas, 51; Nays, 41; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie, and Zeiger

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Haigh, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick, and Wilcox

Excused: Representatives Crouse, Hope, Johnson, Rodne, and Takko

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

**THIRD READING**

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 1954, by House Committee on Transportation (originally sponsored by Representatives Clibborn, Moscoso, Fey, Ryu, Riccelli, Farrell, Liias, Pollet, Ormsby, Tarleton, Roberts, Wylie, Morris, Bergquist and Moeller).**

**Concerning transportation revenue.**

Representatives Habib and Fey spoke in favor of the passage of the bill.

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1954, on reconsideration.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1954 on reconsideration, and the bill passed the House by the following vote: Yeas, 51; Nays, 41; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Farrell, Fey, Fitzgibbon, Freeman,

Goodman, Green, Habib, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Haigh, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick and Wilcox.

Excused: Representatives Crouse, Hope, Johnson, Rodne and Takko.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1954 on reconsideration, having received the necessary constitutional majority, was declared passed.

There being no objection, the rules were suspended, and ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1971 was returned to second reading for the purpose of amendment.

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

**SECOND READING**

**ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1971, by House Committee on Appropriations (originally sponsored by Representatives Carlyle and Nealey)**

**Concerning communications services reform.**

The bill was read the second time.

Representative Carlyle moved the adoption of amendment (577).

On page 29, beginning on line 28, after "**Sec. 301.**" strike all of subsection (1) and insert the following:

"(1) Except as provided otherwise in this section, part I of 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 August 1, 2013."

Correct the title.

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

Representative Nealey spoke against the adoption of the amendment.

Amendment (577) 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 Carlyle, Nealey 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 Second Engrossed Second Substitute House Bill No. 1971.

### ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Second Substitute House Bill No. 1971, and the bill passed the House by the following vote: Yeas, 77; Nays, 15; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Angel, Condotta, Hargrove, Harris, Hawkins, Hayes, Kristiansen, Overstreet, Parker, Pike, Ross, Scott, Shea, Stonier and Taylor.

Excused: Representatives Crouse, Hope, Johnson, Rodne and Takko.

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1971, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SUBSTITUTE SENATE BILL NO. 5891, by Senate Committee on Ways & Means (originally sponsored by Senators Hill and Hargrove)**

#### Concerning state technology expenditures.

The bill was read the second time.

Representative Hudgins moved the adoption of amendment (578).

On page 5, line 13, after "officer" strike "sufficient"

On page 7, line 19, after "model" insert "of the executive branch"

On page 7, line 25, after "legislature by" strike "September" and insert "December"

On page 7, line 31, after "legislature by" strike "September" and insert "December"

On page 8, line 15, after "be" strike "consistent with" and insert "comparable to"

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

Amendment (578) was adopted.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5891, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5891, as amended by the House, and the bill passed the House by the following vote: Yeas, 90; Nays, 2; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Hunt and Reykdal.

Excused: Representatives Crouse, Hope, Johnson, Rodne and Takko.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5891, as amended by the House, having received the necessary constitutional majority, was declared passed.

**ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5912, by Senate Committee on Ways & Means (originally sponsored by Senators Padden, Kline and Conway)**

#### Modifying provisions that address impaired driving. Revised for 2nd Substitute: Concerning driving under the influence of intoxicating liquor or drugs.

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 Morrell, Klippert, Kochmar, Stonier, Holy and Goodman spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5912.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5912, and the bill passed the House by the following vote: Yeas, 92; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler,

Hansen, Hargrove, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse, Hope, Johnson, Rodne and Takko.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5912, having received the necessary constitutional majority, was declared passed.

#### MESSAGE FROM THE SENATE

June 20, 2013

MR. SPEAKER:

The Senate has passed:

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5157  
 SUBSTITUTE SENATE BILL NO. 5679  
 SUBSTITUTE SENATE BILL NO. 5718  
 SUBSTITUTE SENATE BILL NO. 5804  
 SENATE BILL NO. 5904

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

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

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5157  
 SUBSTITUTE SENATE BILL NO. 5679  
 SUBSTITUTE SENATE BILL NO. 5718  
 SUBSTITUTE SENATE BILL NO. 5804  
 SENATE BILL NO. 5904

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

#### THIRD READING

**ENGROSSED SUBSTITUTE HOUSE BILL NO. 1955, by House Committee on Transportation (originally sponsored by Representatives Clibborn, Moscoso, Fey, Ryu, Riccelli, Farrell, Liias, Pollet, Ormsby, Tarleton, Roberts, Wylie, Morris, Bergquist and Moeller).**

##### Concerning additive transportation funding.

The bill was read the third time.

Representatives Clibborn, Farrell and Riccelli spoke in favor of the passage of the bill.

Representatives Orcutt, DeBolt, Shea and Kochmar 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. 1955.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1955, and the bill passed the House by the following vote: Yeas, 52; Nays, 40; Absent, 0; Excused, 5.

Voting yea: Representatives Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Buys, Chandler, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Stonier, Taylor, Vick, Walsh, Warnick and Wilcox.

Excused: Representatives Crouse, Hope, Johnson, Rodne and Takko.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1955, having received the necessary constitutional majority, was declared passed.

#### MESSAGES FROM THE SENATE

June 27, 2013

MR. SPEAKER:

The Senate has passed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1306  
 SUBSTITUTE HOUSE BILL NO. 1866

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

June 27, 2013

MR. SPEAKER:

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5891

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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

#### SECOND READING

**ENGROSSED HOUSE BILL NO. 1450, by Representatives Hunt and Pollet**

##### Regarding assessments in public schools.

The bill was read the second time.

Representative Hunt moved the adoption of amendment (573).

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The legislature finds that the superintendent of public instruction was authorized to align the state essential academic learning requirements for mathematics, reading, writing, and communication with the common set of standards for students in grades kindergarten through twelve, known as the common core state standards, which were initiated by the governors and chief school officers of forty-five states, including Washington. The legislature further finds that Washington has joined one of two multistate consortia using a federal grant to develop new English language arts and mathematics assessments in grades three through eight and grade eleven that are, among other factors, aligned with the common core state standards and intended to demonstrate a student's career and college readiness. The legislature further finds that the assessments are required to be ready for use by the 2014-15 school year.

The legislature intends to reduce the overall costs of the state assessment system by implementing the eleventh grade English language arts and mathematics assessments being developed by a multistate consortium in which Washington is participating, maximize use of the consortium assessments by developing a tenth grade high school English language arts assessment and modifying the algebra I and geometry end-of-course assessment to be used only during the transition to the consortium-developed assessments, and reduce to three the number of assessments that will be required for students to graduate beginning with the class of 2019.

The legislature further intends that the eleventh grade consortium-developed assessments have two different student performance standards: One for the purposes of high school graduation that will be established by the state board of education and one that is intended to demonstrate a student's career and college readiness.

**Sec. 2.** RCW 28A.655.061 and 2011 1st sp.s. c 22 s 2 are each amended to read as follows:

(1) The high school assessment system shall include but need not be limited to the statewide student assessment, opportunities for a student to retake the content areas of the assessment in which the student was not successful, and, if approved by the legislature pursuant to subsection (10) of this section, one or more objective alternative assessments for a student to demonstrate achievement of state academic standards. The objective alternative assessments for each content area shall be comparable in rigor to the skills and knowledge that the student must demonstrate on the statewide student assessment for each content area.

(2) Subject to the conditions in this section, a certificate of academic achievement shall be obtained (~~by most students at about the age of sixteen,~~) and is evidence that the students have successfully met the state standard in the content areas included in the certificate. With the exception of students satisfying the provisions of RCW 28A.155.045 or 28A.655.0611, acquisition of the certificate is required for graduation from a public high school but is not the only requirement for graduation.

(3)(a) Beginning with the graduating class of 2008 through the graduating class of 2015, with the exception of students satisfying the provisions of RCW 28A.155.045, a student who meets the state standards on the reading, writing, and mathematics (~~content areas of the~~) high school statewide student assessment shall earn a certificate of academic achievement. The mathematics assessment shall be the end-of-course assessment for the first year of high school mathematics that assesses the standards common to algebra I and integrated mathematics I or the end-of-course assessment for the second year of high school mathematics that assesses standards common to geometry and integrated mathematics II.

(b) As the state transitions from reading and writing assessments to an English language arts assessment and from end-of-course

assessments to a comprehensive assessment for high school mathematics, a student in a graduating class of 2016 through 2018 shall earn a certificate of academic achievement if the student meets the state standard as follows:

(i) Students in the graduating class of 2016 may use the results from:

(A) The reading and writing assessment or the English language arts assessment developed with the multistate consortium; and

(B) The end-of-course assessment for the first year of high school mathematics, the end-of-course assessment for the second year of high school mathematics, or the comprehensive mathematics assessment developed with the multistate consortium.

(ii) Students in the graduating classes of 2017 and 2018 may use the results from:

(A) The tenth grade English language arts assessment developed by the superintendent of public instruction using resources from the multistate consortium or the English language arts assessment developed with the multistate consortium; and

(B) The end-of-course assessment for the first year of high school mathematics, the end-of-course assessment for the second year of high school mathematics, or the comprehensive mathematics assessment developed with the multistate consortium.

(c) Beginning with the graduating class of 2019, a student who meets the state standards on the high school English language arts assessment developed with the multistate consortium and the comprehensive mathematics assessment developed with the multistate consortium shall earn a certificate of academic achievement.

(d) If a student does not successfully meet the state standards in one or more content areas required for the certificate of academic achievement, then the student may retake the assessment in the content area (~~up to four times~~) at least twice a year at no cost to the student. If the student successfully meets the state standards on a retake of the assessment then the student shall earn a certificate of academic achievement. Once objective alternative assessments are authorized pursuant to subsection (10) of this section, a student may use the objective alternative assessments to demonstrate that the student successfully meets the state standards for that content area if the student has taken the statewide student assessment at least once. If the student successfully meets the state standards on the objective alternative assessments then the student shall earn a certificate of academic achievement.

(4) Beginning with the graduating class of 2015, a student must meet the state standards in science in addition to the other content areas required under subsection (3) of this section on the statewide student assessment, a retake, or the objective alternative assessments in order to earn a certificate of academic achievement.

(5) The state board of education may not require the acquisition of the certificate of academic achievement for students in home-based instruction under chapter 28A.200 RCW, for students enrolled in private schools under chapter 28A.195 RCW, or for students satisfying the provisions of RCW 28A.155.045.

(6) A student may retain and use the highest result from each successfully completed content area of the high school assessment.

(7) School districts must make available to students the following options:

(a) To retake the statewide student assessment (~~up to four times~~) at least twice a year in the content areas in which the student did not meet the state standards if the student is enrolled in a public school; or

(b) To retake the statewide student assessment (~~up to four times~~) at least twice a year in the content areas in which the student did not meet the state standards if the student is enrolled in a high school completion program at a community or technical college. The superintendent of public instruction and the state board for community and technical colleges shall jointly identify means by which students in these programs can be assessed.

(8) Students who achieve the standard in a content area of the high school assessment but who wish to improve their results shall pay for retaking the assessment, using a uniform cost determined by the superintendent of public instruction.

(9) Opportunities to retake the assessment at least twice a year shall be available to each school district.

(10)(a) The office of the superintendent of public instruction shall develop options for implementing objective alternative assessments, which may include an appeals process for students' scores, for students to demonstrate achievement of the state academic standards. The objective alternative assessments shall be comparable in rigor to the skills and knowledge that the student must demonstrate on the statewide student assessment and be objective in its determination of student achievement of the state standards. Before any objective alternative assessments in addition to those authorized in RCW 28A.655.065 or (b) of this subsection are used by a student to demonstrate that the student has met the state standards in a content area required to obtain a certificate, the legislature shall formally approve the use of any objective alternative assessments through the omnibus appropriations act or by statute or concurrent resolution.

(b)(i) A student's score on the mathematics, reading or English, or writing portion of the SAT or the ACT may be used as an objective alternative assessment under this section for demonstrating that a student has met or exceeded the state standards for the certificate of academic achievement. The state board of education shall identify the scores students must achieve on the relevant portion of the SAT or ACT to meet or exceed the state standard in the relevant content area on the statewide student assessment. A student's score on the science portion of the ACT or the science subject area tests of the SAT may be used as an objective alternative assessment under this section as soon as the state board of education determines that sufficient data is available to identify reliable equivalent scores for the science content area of the statewide student assessment. After the first scores are established, the state board may increase but not decrease the scores required for students to meet or exceed the state standards.

(ii) A student who scores at least a three on the grading scale of one to five for selected AP examinations may use the score as an objective alternative assessment under this section for demonstrating that a student has met or exceeded state standards for the certificate of academic achievement. A score of three on the AP examinations in calculus or statistics may be used as an alternative assessment for the mathematics portion of the statewide student assessment. A score of three on the AP examinations in English language and composition may be used as an alternative assessment for the writing portion of the statewide student assessment; and for the English language arts portion of the assessment developed with the multistate consortium, once established in the 2014-15 school year. A score of three on the AP examinations in English literature and composition, macroeconomics, microeconomics, psychology, United States history, world history, United States government and politics, or comparative government and politics may be used as an alternative assessment for the reading portion of the statewide student assessment; and for the English language arts portion of the assessment developed with the multistate consortium, once established in the 2014-15 school year. A score of three on the AP examination in biology, physics, chemistry, or environmental science may be used as an alternative assessment for the science portion of the statewide student assessment.

(iii) A student who scores at least a four on selected externally administered international baccalaureate (IB) examinations may use the score as an objective alternative assessment under this section for demonstrating that the student has met or exceeded state standards for the certificate of academic achievement. A score of four on the higher level IB examinations for any of the IB English language and literature courses or for any of the IB individuals and societies courses may be used as an alternative assessment for the reading, writing, or

English language arts portions of the statewide student assessment. A score of four on the higher level IB examinations for any of the IB mathematics courses may be used as an alternative assessment for the mathematics portion of the statewide student assessment. A score of four on the higher level IB examinations for IB biology, chemistry, or physics may be used as an alternative assessment for the science portion of the statewide student assessment.

(11) ~~(By December 15, 2004, the house of representatives and senate education committees shall obtain information and conclusions from recognized, independent, national assessment experts regarding the validity and reliability of the high school Washington assessment of student learning for making individual student high school graduation determinations.~~

~~(12))~~ To help assure continued progress in academic achievement as a foundation for high school graduation and to assure that students are on track for high school graduation, each school district shall prepare plans for and notify students and their parents or legal guardians as provided in this subsection. Student learning plans are required for eighth grade students who were not successful on any or all of the content areas of the state assessment during the previous school year or who may not be on track to graduate due to credit deficiencies or absences. The parent or legal guardian shall be notified about the information in the student learning plan, preferably through a parent conference and at least annually. To the extent feasible, schools serving English language learner students and their parents shall translate the plan into the primary language of the family. The plan shall include the following information as applicable:

- (a) The student's results on the state assessment;
- (b) If the student is in the transitional bilingual program, the score on his or her Washington language proficiency test II;
- (c) Any credit deficiencies;
- (d) The student's attendance rates over the previous two years;
- (e) The student's progress toward meeting state and local graduation requirements;
- (f) The courses, competencies, and other steps needed to be taken by the student to meet state academic standards and stay on track for graduation;
- (g) Remediation strategies and alternative education options available to students, including informing students of the option to continue to receive instructional services after grade twelve or until the age of twenty-one;
- (h) The alternative assessment options available to students under this section and RCW 28A.655.065;
- (i) School district programs, high school courses, and career and technical education options available for students to meet graduation requirements; and
- (j) Available programs offered through skill centers or community and technical colleges, including the college high school diploma options under RCW 28B.50.535.

**Sec. 3.** RCW 28A.655.066 and 2011 c 25 s 2 are each amended to read as follows:

(1)(a) In consultation with the state board of education, the superintendent of public instruction shall develop statewide end-of-course assessments for high school mathematics that measure student achievement of the state mathematics standards. The superintendent shall take steps to ensure that the language of the assessments is responsive to a diverse student population. The assessments shall be implemented statewide in the 2010-11 school year.

(b) The superintendent shall develop end-of-course assessments for the first year of high school mathematics that include the standards common to algebra I and integrated mathematics I and for the second year of high school mathematics that include the standards common to geometry and integrated mathematics II. The assessments under this subsection (1)(b) shall be used to demonstrate that a student meets the state standard on the mathematics content area of the high

school (~~(Washington)~~) statewide student assessment (~~(of student learning)~~) for purposes of RCW 28A.655.061.

(c) The superintendent of public instruction shall also develop subtests for the end-of-course assessments that measure standards for the first two years of high school mathematics that are unique to algebra I, integrated mathematics I, geometry, and integrated mathematics II. The results of the subtests shall be reported at the student, teacher, school, and district level.

~~(2) (For the graduating classes of 2013 and 2014 and for purposes of the certificate of academic achievement under RCW 28A.655.061, a student may use: (a) Results from the end of course assessment for the first year of high school mathematics or the results from the end of course assessment for the second year of high school mathematics; or (b) results from a high school mathematics retake assessment.~~

~~(3) Beginning with the graduating class of 2015 and for purposes of the certificate of academic achievement under RCW 28A.655.061, the mathematics content area of the Washington assessment of student learning shall be assessed using the end of course assessment for the first year of high school mathematics plus the end of course assessment for the second year of high school mathematics, or results from a high school mathematics retake assessment for the end of course assessments in which the student did not meet the standard.~~

~~(4)) All of the objective alternative assessments available to students under RCW 28A.655.061 and 28A.655.065 shall be available to any student who has taken ~~((the sequence of))~~ an end-of-course assessment~~((s))~~ once but does not meet the state mathematics standard on ~~((the sequence of))~~ an end-of-course assessment~~((s))~~.~~

~~((5)) (3) The superintendent of public instruction shall report at least annually or more often if necessary to keep the education committees of the legislature informed on each step of the development and implementation process under this section.~~

**Sec. 4.** RCW 28A.655.068 and 2011 1st sp.s. c 22 s 3 are each amended to read as follows:

(1) Beginning in the 2011-12 school year, the statewide high school assessment in science shall be an end-of-course assessment for biology that measures the state standards for life sciences, in addition to systems, inquiry, and application as they pertain to life sciences.

(2)(a) The superintendent of public instruction may develop or adopt science end-of-course assessments ~~((#))~~ or a comprehensive science assessment that includes subjects in addition to biology for purposes of RCW 28A.655.061, when so directed by the legislature. The legislature intends to transition from a biology end-of-course assessment to a more comprehensive science assessment in a manner consistent with the way in which the state transitioned to an English language arts assessment and a comprehensive mathematics assessment. The legislature further intends that the transition will include at least two years of using the student assessment results from either the biology end-of-course assessment or the more comprehensive assessment in order to provide students with reasonable opportunities to demonstrate high school competencies while being mindful of the increasing rigor of the new assessment.

(b) The superintendent of public instruction shall develop or adopt a science assessment in accordance with RCW 28A.655.070(10) that is not biased toward persons with different learning styles, racial or ethnic backgrounds, or on the basis of gender.

(c) Before the next subsequent school year after the legislature directs the superintendent to develop or adopt a new science assessment, the superintendent of public instruction shall review the objective alternative assessments for the science assessment and make recommendations to the legislature regarding additional objective alternatives, if any.

(3) The superintendent of public instruction may participate with consortia of multiple states as common student learning standards and assessments in science are developed. The superintendent of public

instruction, in consultation with the state board of education, may modify the essential academic learning requirements and statewide student assessments in science, including the high school assessment, according to the multistate common student learning standards and assessments as long as the education committees of the legislature have opportunities for review before the modifications are adopted, as provided under RCW 28A.655.070.

(4) The statewide high school assessment under this section shall be used to demonstrate that a student meets the state standards in the science content area of the statewide student assessment for purposes of RCW 28A.655.061.

**Sec. 5.** RCW 28A.655.070 and 2008 c 163 s 2 are each amended to read as follows:

(1) The superintendent of public instruction shall develop essential academic learning requirements that identify the knowledge and skills all public school students need to know and be able to do based on the student learning goals in RCW 28A.150.210, develop student assessments, and implement the accountability recommendations and requests regarding assistance, rewards, and recognition of the state board of education.

(2) The superintendent of public instruction shall:

(a) Periodically revise the essential academic learning requirements, as needed, based on the student learning goals in RCW 28A.150.210. Goals one and two shall be considered primary. To the maximum extent possible, the superintendent shall integrate goal four and the knowledge and skill areas in the other goals in the essential academic learning requirements; and

(b) Review and prioritize the essential academic learning requirements and identify, with clear and concise descriptions, the grade level content expectations to be assessed on the ~~((Washington))~~ statewide student assessment (~~(of student learning)~~) and used for state or federal accountability purposes. The review, prioritization, and identification shall result in more focus and targeting with an emphasis on depth over breadth in the number of grade level content expectations assessed at each grade level. Grade level content expectations shall be articulated over the grades as a sequence of expectations and performances that are logical, build with increasing depth after foundational knowledge and skills are acquired, and reflect, where appropriate, the sequential nature of the discipline. The office of the superintendent of public instruction, within seven working days, shall post on its web site any grade level content expectations provided to an assessment vendor for use in constructing the ~~((Washington))~~ statewide student assessment (~~(of student learning)~~).

(3)(a) In consultation with the state board of education, the superintendent of public instruction shall maintain and continue to develop and revise a statewide academic assessment system in the content areas of reading, writing, mathematics, and science for use in the elementary, middle, and high school years designed to determine if each student has mastered the essential academic learning requirements identified in subsection (1) of this section. School districts shall administer the assessments under guidelines adopted by the superintendent of public instruction. The academic assessment system may include a variety of assessment methods, including criterion-referenced and performance-based measures.

(b) Effective with the 2009 administration of the Washington assessment of student learning and continuing with the statewide student assessment, the superintendent shall redesign the assessment in the content areas of reading, mathematics, and science in all grades except high school by shortening test administration and reducing the number of short answer and extended response questions.

(c) By the 2014-15 school year, the superintendent of public instruction, in consultation with the state board of education, shall modify the statewide student assessment system to transition to assessments developed with a multistate consortium, as provided in this subsection:

(i) The assessments developed with a multistate consortium to assess student proficiency in English language arts and mathematics shall be administered beginning in the 2014-15 school year. The reading and writing assessments shall not be administered by the superintendent of public instruction or schools after the 2013-14 school year.

(ii) The high school assessments in English language arts and mathematics in (c)(i) of this subsection shall be used for the purposes of earning a certificate of academic achievement for high school graduation under the timeline established in RCW 28A.655.061 and for assessing student career and college readiness.

(iii) During the transition period specified in RCW 28A.655.061, the superintendent of public instruction shall use test items and other resources from the consortium assessment to develop and administer a tenth grade high school English language arts assessment, an end-of-course mathematics assessment to assess the standards common to algebra I and integrated mathematics I, and an end-of-course mathematics assessment to assess the standards common to geometry and integrated mathematics II.

(4) If the superintendent proposes any modification to the essential academic learning requirements or the statewide assessments, then the superintendent shall, upon request, provide opportunities for the education committees of the house of representatives and the senate to review the assessments and proposed modifications to the essential academic learning requirements before the modifications are adopted.

(5) The assessment system shall be designed so that the results under the assessment system are used by educators as tools to evaluate instructional practices, and to initiate appropriate educational support for students who have not mastered the essential academic learning requirements at the appropriate periods in the student's educational development.

(6) By September 2007, the results for reading and mathematics shall be reported in a format that will allow parents and teachers to determine the academic gain a student has acquired in those content areas from one school year to the next.

(7) To assist parents and teachers in their efforts to provide educational support to individual students, the superintendent of public instruction shall provide as much individual student performance information as possible within the constraints of the assessment system's item bank. The superintendent shall also provide to school districts:

(a) Information on classroom-based and other assessments that may provide additional achievement information for individual students; and

(b) A collection of diagnostic tools that educators may use to evaluate the academic status of individual students. The tools shall be designed to be inexpensive, easily administered, and quickly and easily scored, with results provided in a format that may be easily shared with parents and students.

(8) To the maximum extent possible, the superintendent shall integrate knowledge and skill areas in development of the assessments.

(9) Assessments for goals three and four of RCW 28A.150.210 shall be integrated in the essential academic learning requirements and assessments for goals one and two.

(10) The superintendent shall develop assessments that are directly related to the essential academic learning requirements, and are not biased toward persons with different learning styles, racial or ethnic backgrounds, or on the basis of gender.

(11) The superintendent shall consider methods to address the unique needs of special education students when developing the assessments under this section.

(12) The superintendent shall consider methods to address the unique needs of highly capable students when developing the assessments under this section.

(13) The superintendent shall post on the superintendent's web site lists of resources and model assessments in social studies, the arts, and health and fitness.

**NEW SECTION. Sec. 6.** By December 1, 2013, the superintendent of public instruction shall report to the education committees of the house of representatives and the senate on the process that was used by the superintendent, the multistate consortium in which Washington is participating, and by other states, to prevent bias in the state assessments and assure fairness to students who take the assessments.

**Sec. 7.** RCW 28A.305.130 and 2011 1st sp.s. c 6 s 1 are each amended to read as follows:

The purpose of the state board of education is to provide advocacy and strategic oversight of public education; implement a standards-based accountability framework that creates a unified system of increasing levels of support for schools in order to improve student academic achievement; provide leadership in the creation of a system that personalizes education for each student and respects diverse cultures, abilities, and learning styles; and promote achievement of the goals of RCW 28A.150.210. In addition to any other powers and duties as provided by law, the state board of education shall:

(1) Hold regularly scheduled meetings at such time and place within the state as the board shall determine and may hold such special meetings as may be deemed necessary for the transaction of public business;

(2) Form committees as necessary to effectively and efficiently conduct the work of the board;

(3) Seek advice from the public and interested parties regarding the work of the board;

(4) For purposes of statewide accountability:

(a) Adopt and revise performance improvement goals in reading, writing, science, and mathematics, by subject and grade level, once assessments in these subjects are required statewide; academic and technical skills, as appropriate, in secondary career and technical education programs; and student attendance, as the board deems appropriate to improve student learning. The goals shall be consistent with student privacy protection provisions of RCW 28A.655.090(7) and shall not conflict with requirements contained in Title I of the federal elementary and secondary education act of 1965, or the requirements of the Carl D. Perkins vocational education act of 1998, each as amended. The goals may be established for all students, economically disadvantaged students, limited English proficient students, students with disabilities, and students from disproportionately academically underachieving racial and ethnic backgrounds. The board may establish school and school district goals addressing high school graduation rates and dropout reduction goals for students in grades seven through twelve. The board shall adopt the goals by rule. However, before each goal is implemented, the board shall present the goal to the education committees of the house of representatives and the senate for the committees' review and comment in a time frame that will permit the legislature to take statutory action on the goal if such action is deemed warranted by the legislature;

(b)(i) Identify the scores students must achieve in order to meet the standard on the statewide student assessment and, for high school students, to obtain a certificate of academic achievement. The board shall also determine student scores that identify levels of student performance below and beyond the standard. The board shall consider the incorporation of the standard error of measurement into the decision regarding the award of the certificates. The board shall set such performance standards and levels in consultation with the superintendent of public instruction and after consideration of any recommendations that may be developed by any advisory committees that may be established for this purpose.

(ii) By the end of the 2014-15 school year, establish the scores students must achieve to meet the standard and earn a certificate of academic achievement on the tenth grade English language arts assessment and the end-of-course mathematics assessments developed in accordance with RCW 28A.655.070 to be used as the state transitions to high school assessments developed with a multistate consortium.

(iii) By the end of the 2014-15 school year, establish the scores students must achieve to meet the standard and earn a certificate of academic achievement on the high school English language arts assessment and the comprehensive mathematics assessment developed with a multistate consortium in accordance with RCW 28A.655.070. To determine the appropriate score, the state board shall review the transition experience of Washington students to the consortium-developed assessments, examine the student scores used in other states that are administering the consortium-developed assessments, and review the scores in other states that require passage of an eleventh grade assessment as a high school graduation requirement. The scores established by the state board of education for the purposes of earning a certificate of academic achievement and graduation from high school may be different from the scores used for the purpose of determining a student's career and college readiness.

(iv) The legislature shall be advised of the initial performance standards for the high school statewide student assessment. Any changes recommended by the board in the performance standards for the high school assessment shall be presented to the education committees of the house of representatives and the senate by November 30th of the school year in which the changes will take place to permit the legislature to take statutory action before the changes are implemented if such action is deemed warranted by the legislature. The legislature shall be advised of the initial performance standards and any changes made to the elementary level performance standards and the middle school level performance standards. The board must provide an explanation of and rationale for all initial performance standards and any changes, for all grade levels of the statewide student assessment. If the board changes the performance standards for any grade level or subject, the superintendent of public instruction must recalculate the results from the previous ten years of administering that assessment regarding students below, meeting, and beyond the state standard, to the extent that this data is available, and post a comparison of the original and recalculated results on the superintendent's web site;

(c) Annually review the assessment reporting system to ensure fairness, accuracy, timeliness, and equity of opportunity, especially with regard to schools with special circumstances and unique populations of students, and a recommendation to the superintendent of public instruction of any improvements needed to the system; and

(d) Include in the biennial report required under RCW 28A.305.035, information on the progress that has been made in achieving goals adopted by the board;

(5) Accredit, subject to such accreditation standards and procedures as may be established by the state board of education, all private schools that apply for accreditation, and approve, subject to the provisions of RCW 28A.195.010, private schools carrying out a program for any or all of the grades kindergarten through twelve. However, no private school may be approved that operates a kindergarten program only and no private school shall be placed upon the list of accredited schools so long as secret societies are knowingly allowed to exist among its students by school officials;

(6) Articulate with the institutions of higher education, workforce representatives, and early learning policymakers and providers to coordinate and unify the work of the public school system;

(7) Hire an executive director and an administrative assistant to reside in the office of the superintendent of public instruction for administrative purposes. Any other personnel of the board shall be appointed as provided by RCW 28A.300.020. The board may

delegate to the executive director by resolution such duties as deemed necessary to efficiently carry on the business of the board including, but not limited to, the authority to employ necessary personnel and the authority to enter into, amend, and terminate contracts on behalf of the board. The executive director, administrative assistant, and all but one of the other personnel of the board are exempt from civil service, together with other staff as now or hereafter designated as exempt in accordance with chapter 41.06 RCW; and

(8) Adopt a seal that shall be kept in the office of the superintendent of public instruction.

**NEW SECTION. Sec. 8.** A new section is added to chapter 28A.320 RCW to read as follows:

(1) At the beginning of each school year, school districts must notify parents and guardians of enrolled students from eighth through twelfth grade about each student assessment required by the state, the minimum state-level graduation requirements, and any additional school district graduation requirements. The information may be provided when the student is enrolled, contained in the student or parent handbook, or posted on the school district's web site. The notification must include the following:

(a) When each assessment will be administered;

(b) Which assessments will be required for graduation and what options students have to meet graduation requirements if they do not pass a given assessment;

(c) Whether the results of the assessment will be used for program placement or grade-level advancement;

(d) When the assessment results will be released to parents or guardians and whether there will be an opportunity for parents and teachers to discuss strategic adjustments; and

(e) Whether the assessment is required by the school district, state, federal government, or more than one of these entities.

(2) The office of the superintendent of public instruction shall provide information to the school districts to enable the districts to provide the information to the parents and guardians in accordance with subsection (1) of this section.

**Sec. 9.** RCW 28A.655.185 and 2005 c 495 s 1 are each amended to read as follows:

(1) It is the intent of the legislature, through the creation of the apple award, to honor and reward students in Washington's public elementary schools who have shown significant improvement in their school's results on the ~~((Washington))~~ statewide student ~~((of student learning))~~ assessment.

(2) The apple award program is created to honor and reward public elementary schools that have the greatest combined average increase in the percentage of students meeting the fourth grade reading, mathematics, and writing standards on the ~~((Washington))~~ statewide student ~~((of student learning))~~ each school year. Beginning in the 2014-15 school year, the award shall be based on the percentage of students meeting the fourth grade English language arts and mathematics standards. The program shall be administered by the ~~((state board of education))~~ superintendent of public instruction.

(3) Within the amounts appropriated for this purpose, each school that receives an apple award shall be provided with a twenty-five thousand dollar grant to be used for capital construction purposes that have been selected by students in the school and approved by the district's school directors. The funds may be used exclusively for capital construction projects on school property or on other public property in the community, city, or county in which the school is located.

**Sec. 10.** RCW 28B.105.010 and 2007 c 214 s 1 are each amended to read as follows:

(1) The GET ready for math and science scholarship program is established. The purpose of the program is to provide scholarships to students who achieve level four on the mathematics or science portions of the ~~((tenth grade Washington))~~ high school statewide student ~~((of student learning))~~ assessment or achieve a score in the

math section of the SAT or the math section of the ACT that is above the ninety-fifth percentile, major in a mathematics, science, or related field in college, and commit to working in mathematics, science, or a related field for at least three years in Washington following completion of their bachelor's degree. The program shall be administered by the nonprofit organization selected as the private partner in the public-private partnership.

(2) The total annual amount of each GET ready for math and science scholarship may vary, but shall not exceed the annual cost of resident undergraduate tuition fees and mandatory fees at the University of Washington. An eligible recipient may receive a GET ready for math and science scholarship for up to one hundred quarter credits, or the semester equivalent, or for up to whichever comes first.

(3) Scholarships shall be awarded only to the extent that state funds and private matching funds are available for that purpose in the GET ready for math and science ~~((scholarship))~~ scholarship account established in RCW 28B.105.110.

**Sec. 11.** RCW 28B.105.030 and 2007 c 214 s 3 are each amended to read as follows:

(1) An eligible student is a student who:

(a) Is eligible for resident tuition and fee rates as defined in RCW 28B.15.012;

(b) Achieved level four on the mathematics or science portion of the ~~((tenth grade Washington))~~ high school statewide student assessment ((of student learning)) or achieved a score in the math section of the SAT or the math section of the ACT that is above the ninety-fifth percentile;

(c) Has a family income at or below one hundred twenty-five percent of the state median family income at the time the student applies for a GET ready for math and science scholarship and for up to the two previous years;

(d) Has declared an intention to complete a qualified program or qualified major or has entered a qualified program or declared a qualified major at an institution of higher education;

(e) Has declared an intention to work in a mathematics, science, or related field in Washington for at least three years immediately following completion of a bachelor's degree or higher degree.

(2) An eligible recipient is an eligible student who:

(a) Has been awarded a scholarship in accordance with the selection criteria and process established by the ~~((board))~~ student achievement council and the program administrator;

(b) Enrolls at an institution of higher education within one year of graduating from high school;

(c) Maintains satisfactory academic progress, as defined by the institution of higher education where the student is enrolled;

(d) Takes at least one college-level mathematics or science course each term since enrolling in an institution of higher education; and

(e) Enters a qualified program or qualified major no later than the end of the first term in which the student has junior level standing.

**Sec. 12.** RCW 28B.105.060 and 2007 c 214 s 6 are each amended to read as follows:

The office of the superintendent of public instruction shall:

(1) Notify elementary, middle, junior high, high school, and school district staff and administrators, and the children's administration of the department of social and health services about the GET ready for math and science scholarship program using methods in place for communicating with schools and school districts; and

(2) Provide data showing the race, ethnicity, income, and other available demographic information of students who achieve level four ~~((of))~~ on the math and science ~~((Washington))~~ high school statewide student assessment ((of student learning in the tenth grade.)); compare those data with comparable information on the ~~((tenth grade))~~ student population as a whole~~((;))~~; and submit a report with the analysis to the

committees responsible for education and higher education in the legislature on December 1st of even-numbered years.

**NEW SECTION. Sec. 13.** RCW 28A.655.066 (Statewide end-of-course assessments for high school mathematics--Use for Washington assessment of student learning), as now existing or hereafter amended, and 2013 2nd sp. s. c . . . s 3 (section 3 of this act), 2011 c 25 s 2, 2009 c 310 s 3, & 2008 c 163 s 3 are each repealed, effective September 1, 2019."

Correct the title.

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

Amendment (573) 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 Stonier, Magendanz, Pollet, Orcutt, 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 Engrossed House Bill No. 1450.

#### MOTIONS

On motion of Representative Harris, Representatives Alexander, DeBolt and Hargrove were excused.

#### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1450, and the bill passed the House by the following vote: Yeas, 81; Nays, 8; Absent, 0; Excused, 8.

Voting yea: Representatives Angel, Blake, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Bergquist, Buys, Harris, Overstreet, Scott, Shea and Taylor.

Excused: Representatives Alexander, Crouse, DeBolt, Hargrove, Hope, Johnson, Rodne and Takko.

ENGROSSED HOUSE BILL NO. 1450, having received the necessary constitutional majority, was declared passed.

#### STATEMENT FOR THE JOURNAL

I intended to vote NAY on Engrossed House Bill No. 1450.

Representative Kristiansen, 39 District

**SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5157, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Carrell, Pearson, Schoesler, Hill and Fain)**

**Regulating provision of child care. Revised for 1st Substitute: Regulating provision of child care. (REVISED FOR ENGROSSED: Regulating child care subsidies.) (REVISED FOR SECOND ENGROSSED: Concerning child care subsidy fraud.)**

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Second Engrossed Substitute Senate Bill No. 5157.

**ROLL CALL**

The Clerk called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5157, and the bill passed the House by the following vote: Yeas, 89; Nays, 0; Absent, 0; Excused, 8.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Alexander, Crouse, DeBolt, Hargrove, Hope, Johnson, Rodne and Takko.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5157, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5679, by Senate Committee on Ways & Means (originally sponsored by Senators Brown, Chase, King, Litzow, Dammeier, Schoesler, Rivers, Smith, Braun, Hewitt, Sheldon and Tom)**

**Improving the business climate and stimulating job creation by requiring certain agencies to establish a formal review process of existing rules.**

The bill was read the second time.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5679.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5679, and the bill passed the House by the following vote: Yeas, 87; Nays, 2; Absent, 0; Excused, 8.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Pollet and Reykdal.

Excused: Representatives Alexander, Crouse, DeBolt, Hargrove, Hope, Johnson, Rodne and Takko.

SUBSTITUTE SENATE BILL NO. 5679, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5718, by Senate Committee on Trade & Economic Development (originally sponsored by Senators Brown, Chase, Smith, Braun, Carrell, Schlicher and Frockt)**

**Providing monitoring of the development of a one-stop portal for Washington businesses.**

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 Morris and Smith spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5718.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5718, and the bill passed the House by the following vote: Yeas, 90; Nays, 0; Absent, 0; Excused, 7.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall,

Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Upthegrove, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Excused: Representatives Crouse, DeBolt, Hargrove, Hope, Johnson, Rodne and Takko.

SUBSTITUTE SENATE BILL NO. 5718, having received the necessary constitutional majority, was declared passed.

**SUBSTITUTE SENATE BILL NO. 5804, by Senate Committee on Ways & Means (originally sponsored by Senators Baumgartner and Hill)**

**Addressing federal receipts reporting requirements.**

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 Hunter and Wilcox spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5804.

**ROLL CALL**

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5804, and the bill passed the House by the following vote: Yeas, 86; Nays, 4; Absent, 0; Excused, 7.

Voting yea: Representatives Alexander, Angel, Bergquist, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Holy, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Klippert, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Pike, Pollet, Riccelli, Ross, Ryu, Santos, Sawyer, Schmick, Scott, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Taylor, Tharinger, Van De Wege, Vick, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Appleton, Reykdal, Roberts and Upthegrove.

Excused: Representatives Crouse, DeBolt, Hargrove, Hope, Johnson, Rodne and Takko.

SUBSTITUTE SENATE BILL NO. 5804, having received the necessary constitutional majority, was declared passed.

**SENATE BILL NO. 5904, by Senators Hill, Hargrove, Litzow and Billig**

**Concerning high quality early learning.**

The bill was read the second time.

Representative Kagi moved the adoption of amendment (576).

On page 2, beginning on line 21, strike all of section 3 and insert the following:

**"NEW SECTION. Sec. 3.** (1) During the 2013-2015 biennium, the Washington state institute for public policy shall conduct a comprehensive retrospective outcome evaluation and return on investment analysis of the early childhood program established in RCW 43.215.400. To the extent possible based on data availability, the evaluation must:

(a) Assess both short-term and long-term outcomes for participants in the program, including educational and social outcomes;

(b) Examine the impact of variables including, but not limited to, program fiscal support, staff salaries, staff retention, education level of staff, full-day programming, half-day programming, and classroom size on short-term and long-term outcomes for program participants;

(c) Report findings from a review of the research evidence on components of successful early education program strategies;

(d) Examine characteristics of parents participating in the early childhood and education assistance program; and

(e) Examine family support services provided through early childhood programs.

(2) The institute shall submit a report to the appropriate committees of the legislature by December 15, 2014.

(3) This section expires on December 31, 2014."

On page 3, line 3, after "act," insert "43.215.143 (as recodified by this act)"

On page 4, line 1, after "43.215.141" strike "and 43.215.142" and insert ", 43.215.142, and 43.215.143"

Correct the title.

Representatives Kagi and Parker spoke in favor of the adoption of the amendment.

Amendment (576) was adopted.

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

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

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5904, as amended by the House.

**ROLL CALL**

The Clerk called the roll on the final passage of Senate Bill No. 5904, as amended by the House, and the bill passed the House by the following vote: Yeas, 80; Nays, 10; Absent, 0; Excused, 7.

Voting yea: Representatives Alexander, Angel, Appleton, Bergquist, Blake, Carlyle, Chandler, Clibborn, Cody, Dahlquist, Dunshee, Fagan, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Haler, Hansen, Harris, Hawkins, Hayes, Hudgins, Hunt, Hunter, Hurst, Jinkins, Kagi, Kirby, Kochmar, Kretz, Kristiansen, Liias, Lytton, MacEwen, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Buys, Condotta, Holy, Klippert, Overstreet, Pike, Scott, Shea, Taylor and Vick.

Excused: Representatives Crouse, DeBolt, Hargrove, Hope, Johnson, Rodne and Takko.

SENATE BILL NO. 5904, as amended by the House, having received the necessary constitutional majority, was declared passed.

**SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5892, by Senate Committee on Ways & Means (originally sponsored by Senators Hargrove and Kline)**

**Reducing corrections costs.**

The bill was read the second time.

Representative Hunter moved the adoption of the striking amendment (537).

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 9.94A.517 and 2002 c 290 s 8 are each amended to read as follows:

(1)

TABLE 3

DRUG OFFENSE SENTENCING GRID

Seriousness Level	Offender Score 0 to 2	Offender Score 3 to 5	Offender Score 6 to 9 or more
III	51 to 68 months	68+ to 100 months	100+ to 120 months
II	12+ to 20 months	20+ to 60 months	60+ to 120 months
I	0 to 6 months	6+ to <del>(18)</del> 12 months	12+ to 24 months

References to months represent the standard sentence ranges. 12+ equals one year and one day.

(2) The court may utilize any other sanctions or alternatives as authorized by law, including but not limited to the special drug offender sentencing alternative under RCW 9.94A.660 or drug court under RCW 2.28.170.

(3) Nothing in this section creates an entitlement for a criminal defendant to any specific sanction, alternative, sentence option, or substance abuse treatment.

Sec. 2. RCW 9.94A.729 and 2011 1st sp.s. c 40 s 4 are each amended to read as follows:

(1)(a) The term of the sentence of an offender committed to a correctional facility operated by the department may be reduced by earned release time in accordance with procedures that shall be developed and adopted by the correctional agency having jurisdiction in which the offender is confined. The earned release time shall be for good behavior and good performance, as determined by the correctional agency having jurisdiction. The correctional agency shall not credit the offender with earned release credits in advance of the offender actually earning the credits.

(b) Any program established pursuant to this section shall allow an offender to earn early release credits for presentence incarceration. If an offender is transferred from a county jail to the department, the administrator of a county jail facility shall certify to the department the amount of time spent in custody at the facility and the ~~(amount)~~ number of days of ~~(time)~~ earned early release ~~(time)~~ credits lost or not

earned. The department may approve a jail certification from a correctional agency that calculates ~~(earned)~~ early release time based on the actual amount of confinement time served by the offender before sentencing when an erroneous calculation of confinement time served by the offender before sentencing appears on the judgment and sentence. The department must adjust an offender's rate of early release listed on the jail certification to be consistent with the rate applicable to offenders in the department's facilities. However, the department is not authorized to adjust the number of presentence early release days that the jail has certified as lost or not earned.

(2) An offender who has been convicted of a felony committed after July 23, 1995, that involves any applicable deadly weapon enhancements under RCW 9.94A.533 (3) or (4), or both, shall not receive any good time credits or earned release time for that portion of his or her sentence that results from any deadly weapon enhancements.

(3) An offender may earn early release time as follows:

(a) In the case of an offender convicted of a serious violent offense, or a sex offense that is a class A felony, committed on or after July 1, 1990, and before July 1, 2003, the aggregate earned release time may not exceed fifteen percent of the sentence.

(b) In the case of an offender convicted of a serious violent offense, or a sex offense that is a class A felony, committed on or after July 1, 2003, the aggregate earned release time may not exceed ten percent of the sentence.

(c) An offender is qualified to earn up to fifty percent of aggregate earned release time if he or she:

(i) Is not classified as an offender who is at a high risk to reoffend as provided in subsection (4) of this section;

(ii) Is not confined pursuant to a sentence for:

(A) A sex offense;

(B) A violent offense;

(C) A crime against persons as defined in RCW 9.94A.411;

(D) A felony that is domestic violence as defined in RCW 10.99.020;

(E) A violation of RCW 9A.52.025 (residential burglary);

(F) A violation of, or an attempt, solicitation, or conspiracy to violate, RCW 69.50.401 by manufacture or delivery or possession with intent to deliver methamphetamine; or

(G) A violation of, or an attempt, solicitation, or conspiracy to violate, RCW 69.50.406 (delivery of a controlled substance to a minor);

(iii) Has no prior conviction for the offenses listed in (c)(ii) of this subsection;

(iv) Participates in programming or activities as directed by the offender's individual reentry plan as provided under RCW 72.09.270 to the extent that such programming or activities are made available by the department; and

(v) Has not committed a new felony after July 22, 2007, while under community custody.

(d) In no other case shall the aggregate earned release time exceed one-third of the total sentence.

(4) The department shall perform a risk assessment of each offender who may qualify for earned early release under subsection (3)(c) of this section utilizing the risk assessment tool recommended by the Washington state institute for public policy. Subsection (3)(c) of this section does not apply to offenders convicted after July 1, 2010.

(5)(a) A person who is eligible for earned early release as provided in this section and who will be supervised by the department pursuant to RCW 9.94A.501 or 9.94A.5011, shall be transferred to community custody in lieu of earned release time;

(b) The department shall, as a part of its program for release to the community in lieu of earned release, require the offender to propose a release plan that includes an approved residence and living arrangement. All offenders with community custody terms eligible

for release to community custody in lieu of earned release shall provide an approved residence and living arrangement prior to release to the community;

(c) The department may deny transfer to community custody in lieu of earned release time if the department determines an offender's release plan, including proposed residence location and living arrangements, may violate the conditions of the sentence or conditions of supervision, place the offender at risk to violate the conditions of the sentence, place the offender at risk to reoffend, or present a risk to victim safety or community safety. The department's authority under this section is independent of any court-ordered condition of sentence or statutory provision regarding conditions for community custody;

(d) If the department is unable to approve the offender's release plan, the department may do one or more of the following:

(i) Transfer an offender to partial confinement in lieu of earned early release for a period not to exceed three months. The three months in partial confinement is in addition to that portion of the offender's term of confinement that may be served in partial confinement as provided in RCW 9.94A.728(5);

(ii) Provide rental vouchers to the offender for a period not to exceed three months if rental assistance will result in an approved release plan. The voucher must be provided in conjunction with additional transition support programming or services that offender to participate in services including, but not li substance abuse treatment, mental health treatment, sex offender treatment, educational programming, or employment programming;

(e) For each offender who is the recipient of a rental voucher, the department shall include, concurrent with the data that the department otherwise obtains and records, the housing status of the offender for the duration of the offender's supervision.

(6) An offender serving a term of confinement imposed under RCW 9.94A.670(5)(a) is not eligible for earned release credits under this section.

**Sec. 3.** RCW 9.92.151 and 2009 c 28 s 3 are each amended to read as follows:

(1) Except as provided in subsection (2) of this section, the sentence of a prisoner confined in a county jail facility for a felony, gross misdemeanor, or misdemeanor conviction may be reduced by earned release credits in accordance with procedures that shall be developed and promulgated by the correctional agency having jurisdiction. The earned early release time shall be for good behavior and good performance as determined by the correctional agency having jurisdiction. Any program established pursuant to this section shall allow an offender to earn early release credits for presentence incarceration. The correctional agency shall not credit the offender with earned early release credits in advance of the offender actually earning the credits. In the case of an offender convicted of a serious violent offense or a sex offense that is a class A felony committed on or after July 1, 1990, the aggregate earned early release time may not exceed fifteen percent of the sentence. In no other case may the aggregate earned early release time exceed one-third of the total sentence.

(2) An offender serving a term of confinement imposed under RCW 9.94A.670(5)(a) is not eligible for earned release credits under this section.

(3) If an offender is transferred from a county jail to the department administrator of a county jail facility shall certify to the department the amount of time spent in custody at the facility and the number of days of early release credits lost or not earned.

**NEW SECTION. Sec. 4.** Pursuant to RCW 9.94A.729, the department shall recalculate the earned release date for any offender currently serving a term in a facility or institution either operated by the state or utilized under contract. The earned release date shall be recalculated whether the offender is currently incarcerated or is sentenced after the effective date of this section, and regardless of the

offender's date of offense. For offenders whose offense was committed prior to the effective date of this section, the recalculation shall not extend a term of incarceration beyond that to which an offender is currently subject.

**NEW SECTION. Sec. 5.** The legislature declares that section 4 of this act does not create any liberty interest. The department is authorized to take the time reasonably necessary to complete the recalculations of section 4 of this act after the effective date of this section.

**NEW SECTION. Sec. 6.** Section 1 of this act applies to sentences imposed on or after July 1, 2013, regardless of the date of offense.

**NEW SECTION. Sec. 7.** 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. 8.** 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 July 1, 2013."

Correct the title.

Representative Alexander moved the adoption of amendment (570) to the striking amendment (537).

On page 5, after line 31 of the amendment, insert the following:

**"NEW SECTION. Sec. 5.** (1)(a) The department must, in consultation with the caseload forecast council, compile the following information in summary form for the two years prior to and after the effective date of this section: For offenders sentenced under RCW 9.94A.517 for a seriousness level I offense where the offender score is three to five: (A) The total number of sentences and the average length of sentence imposed, sorted by sentences served in state versus local correctional facilities; (B) the number of current and prior felony convictions for each offender; (C) the estimated cost or cost savings, total and per offender, to the state and local governments from the change to the maximum sentence pursuant to RCW 9.94A.517(1); and (D) the number of offenders who were sentenced to community custody, the number of violations committed on community custody, and any sanctions imposed for such violations.

(b) The department must submit a report with its findings to the office of financial management and the appropriate fiscal and policy committees of the house of representatives and the senate by January 1, 2015, and January 1, 2018.

(2) For purposes of this section, "department" means the department of corrections."

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

On page 6, after line 10 of the amendment, insert the following:

**"NEW SECTION. Sec. 10.** Sections 1 and 5 of this act expire July 1, 2018."

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

Amendment (570) to amendment (537) was adopted.

With the consent of the house, amendments 544 and 546 to the striking amendment (537) were withdrawn.

Amendment (537) was adopted as amended.

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

Representatives 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 Second Engrossed Substitute Senate Bill No. 5892, as amended by the House.

### ROLL CALL

The Clerk called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5892, as amended by the House, and the bill passed the House by the following vote: Yeas, 55; Nays, 36; Absent, 0; Excused, 6.

Voting yea: Representatives Alexander, Bergquist, Carlyle, Chandler, Clibborn, Cody, Farrell, Fitzgibbon, Goodman, Habib, Haler, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Kretz, Kristiansen, Liias, Lytton, Magendanz, Manweller, Maxwell, McCoy, Moeller, Morris, Moscoso, Nealey, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ross, Ryu, Santos, Sawyer, Sells, Springer, Stanford, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Wylie and Mr. Speaker.

Voting nay: Representatives Angel, Appleton, Blake, Buys, Condotta, Dahlquist, DeBolt, Dunshee, Fagan, Fey, Freeman, Green, Haigh, Harris, Hawkins, Hayes, Holy, Hurst, Klippert, Kochmar, MacEwen, Morrell, Orcutt, Overstreet, Parker, Pike, Schmick, Scott, Seaquist, Shea, Short, Smith, Stonier, Taylor, Vick and Zeiger.

Excused: Representatives Crouse, Hargrove, Hope, Johnson, Rodne and Takko.

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5892, as amended by the House, having received the necessary constitutional majority, was declared passed.

### HOUSE BILL NO. 2043, by Representatives Hunter and Sullivan

#### Temporarily suspending inflationary increases in educational employee compensation.

The bill was read the second time.

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

Representatives Hunter, Reykdal, Appleton and Dahlquist spoke in favor of the passage of the bill.

Representatives Liias and Manweller spoke against the passage of the bill.

### POINT OF PARLIAMENTARY INQUIRY

Representative Stonier: "Apart from my duties as a legislator, I am a certificated educational instructor employed by the Evergreen School District. House Bill 2043 affects compensation

for educational staff, including certificated K-12 instructors. Do I have a private interest in the proposed legislation which requires my recusal from voting?"

### SPEAKER'S RULING

Mr. Speaker: "Thank you Representative Stonier for bringing this question to the body. House Rule 19 (D), which is based on article 2, section 30 of our state constitution, states that "no member shall vote on any question which affects that member privately or particularly." The Washington Legislature is, by constitutional design, a citizen legislature.

The design is based on the premise that the people of our state are best represented by legislators who are currently engaged in outside employment and activities, and can bring real-world experience and expertise to bear on the issues before this body.

The question as to whether outside employment and activities require recusal from voting turns on whether a legislator is affected privately or particularly, or as a member of a class.

House Bill 2043 temporarily suspends the state's obligation to provide cost of living increases to K-12 and higher education staff as required by Initiative 732. According to the Office of Superintendent of Public Instruction, there are more than 60,000 certified K-12 instructional staff in Washington. Representative Stonier, given the size of the class of persons affected, the Speaker finds that the interest you have is neither private nor particular, and does not warrant your recusal under House Rules of the State Constitution."

### POINT OF PARLIAMENTARY INQUIRY

Representative Bergquist "Apart from my duties as a legislator, I am a certificated teacher employed by the Renton School District. House Bill 2043 affects compensation for educational staff, including certificated K-12 instructors. Do I have a private interest in the proposed legislation which requires my recusal from voting?"

### SPEAKER'S RULING

Mr. Speaker: "Thank you Representative Bergquist for bringing this question to the body. The Speaker finds that the interest you have is neither private nor particular, and does not warrant your recusal under House Rules or the State Constitution, for the same reasons as expressed in response to the question posed by Representative Stonier."

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2043.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2043, and the bill passed the House by the following vote: Yeas, 54; Nays, 36; Absent, 0; Excused, 7.

Voting yea: Representatives Alexander, Appleton, Blake, Carlyle, Chandler, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Goodman, Green, Haigh, Hansen, Hawkins, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Lytton, Magendanz, Maxwell, McCoy, Moeller, Morrell, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Pike, Pollet, Reykdal, Riccelli, Roberts, Ross, Sawyer, Seaquist, Springer, Stanford, Sullivan, Tarleton, Tharinger, Upthegrove, Van De Wege, Walsh, Wylie and Mr. Speaker.

Voting nay: Representatives Angel, Bergquist, Buys, Condotta, DeBolt, Fagan, Freeman, Habib, Haler, Harris, Hayes, Holy, Hurst, Klippert, Kochmar, Kretz, Kristiansen, Liias, MacEwen, Manweller, Overstreet, Parker, Ryu, Santos, Schmick, Scott, Sells, Shea, Short, Smith, Stonier, Taylor, Vick, Warnick, Wilcox and Zeiger.

Excused: Representatives Crouse, Dahlquist, Hargrove, Hope, Johnson, Rodne and Takko.

HOUSE BILL NO. 2043, having received the necessary constitutional majority, was declared passed.

**STATEMENT FOR THE JOURNAL**

I intended to vote NAY on House Bill No. 2043.  
Representative Morrell, 25 District

**STATEMENT FOR THE JOURNAL**

I intended to vote NAY on House Bill No. 2043.  
Representative Orwall, 33 District

**STATEMENT FOR THE JOURNAL**

I intended to vote NAY on House Bill No. 2043.  
Representative Goodman, 45 District

**STATEMENT FOR THE JOURNAL**

I intended to vote NAY on House Bill No. 2043.  
Representative Appleton, 23 District

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

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

**MESSAGE FROM THE SENATE**

June 13, 2013

MR. SPEAKER:

The Senate has passed:  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5946  
and the same are herewith transmitted.

Hunter G. Goodman, Secretary

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., June 28, 2013, the 17th Day of the 2<sup>nd</sup> Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

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